

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17343 of 2023

Arising Out of PS. Case No.-27 Year-2020 Thana- NAYAGAON District- Saran

Tarkeshwar Mahto S/O Ramnath Mahto R/O Village- Dumari Bujurg, P.S-
Nayagaon, Distt- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 302/34 of the Indian Penal Code.

As per the prosecution case, over a dispute
relating to construction of terrace between the parties, it
is stated that ten named accused persons including the
petitioner herein assaulted the husband of the informant
who died in course of treatment.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely



been implicated in this case which would be evident from perusal of the postmortem report. In spite of allegations of assault by ten accused persons including the petitioner herein, no external injury has been found in the postmortem of the deceased. The allegations are general and omnibus in nature. There is no consistent material evidence against the petitioner and only on the basis of suspicion, the petitioner has been roped in the present case. The petitioner is languishing in custody since 18.09.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate, VI, Saran at Chapra in connection
with Nayagaon P.S. Case No. 27 of 2020.

(Sunil Kumar Panwar, J)

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