

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18632 of 2015**

Arising Out of PS.Case No. -139 Year- 2014 Thana -ARER District- MADHUBANI

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1. RAM CHANDRA KUSHWAHA @ RAM CHANDRA KUMAR  
MAHTO, SON OF LATE SUKHLAL MAHTO.  
2. KAILESH KUSHWAHA.  
3. NARESH KUSHWAHA, BOTH SONS OF RAM CHANDRA  
KUSHWAHA. ALL RESIDENT OF VILLAGE - JAMUARI, P.S.- ARER,  
DISTRICT - MADHUBANI.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR.

.... OPPOSITE PARTY/S

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**Appearance :**

For the Petitioner/s : Mr. Md. Anisur Rahman  
For the Opposite Party/s : Mr. A.K. Choudhary (App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**  
ORAL ORDER

3      09-09-2015                      Heard learned counsel for the petitioners and the  
learned A.P.P. for the State.

The petitioners are accused in connection with Arer  
P.S. Case No. 139 of 2014 registered under Sections 147, 148,  
149, 323 and 302 of the Indian Penal Code pending in the court of  
Chief Judicial Magistrate, Madhubani.

The allegation of informant, Arun Mahto, is that on  
01.12.2014 his father had gone to take tea at Arer Chowk when he  
reached near the house of the petitioners then due to previous  
enmity petitioners along with others surrounded his father and  
assaulted brutally. Thereafter, informant rushed there and took his

father for treatment where his father died.

Learned counsel for the petitioners submits that while there is general and omnibus allegation against the petitioners and others to cause injury to the father of informant but only five injuries were found on the person of the deceased. It is further submitted that due to previous enmity the name of the petitioners has falsely been implicated in this case and they are in custody since 01.12.2014.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant bail to the petitioners. Accordingly, the prayer for bail of the petitioners is rejected.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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