

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4122 of 2015

Arising Out of PS.Case No. -108 Year- 2014 Thana -KANHAULI District- SITAMARHI

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1. Hari Narayan Mahaseth @ Harinarain Mahaseth Son of Chathu Mahaseth
 2. Shikander Mahaseth @ Sikandar Kumar (Mahaseth) Son of Hari Narayan Mahaseth null
 3. Khub Lal Mahaseth Son of Gonu Mahaseth
 4. Rang Lal Mahaseth Son of Gunu Mahaseth
 5. Virendra Kumar Son of Mahesh Mahto
 6. Vinay Mahto Son of Kailash Mahto,
 7. Vijay Kumar Son of Ram Ekbal Mahto,
 8. Mahesh mahto Son of Late Sahdeo Mahto
 9. Lalbabu Mahto Son of Shiv Chandra Mahto
 10. Bilash Mahto Son of Sahdeo Mahto
 11. Bechan Mahto Son of Bilas Mahto
 12. Bikau Mahto @ Bikasu Mahto Son of Bilas Mahto
 13. Ram Bahadur Mahto Son of Late Briksha Mahto
 14. Fekan Mahto Son of Late Darogi Mahto
 15. Chhotan Mahto Son of Jai Kishun Mahto All resident of village - Khap (Kanhauli Tole), P.S. - Kanhauli, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Anita Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-02-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 337 and 448 of the Indian Penal Code.

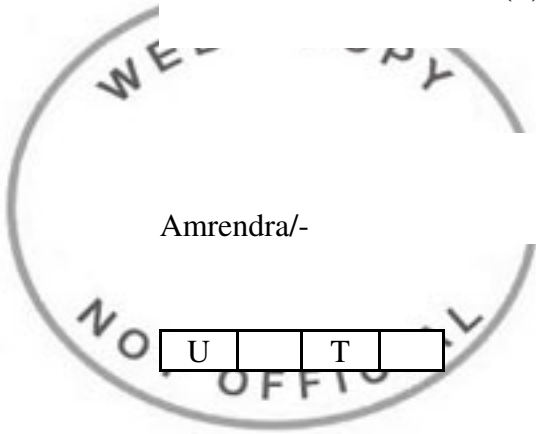
It is alleged that 17 FIR named accused persons

variously armed entered into the house of the informant, robbed and assaulted the informant and when the son of the informant and other villagers came to rescue, they were also assaulted. The specific accusation of assault to the informant is against petitioner Virendra Kumar and Vinay Mahto. Altogether, 9 persons received injuries.

It is submitted by learned counsel for the petitioners that three persons received grievous injuries when other injuries have been found to be simple. There is counter version of the occurrence also when the petitioners' side also received grievous injuries. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that except Virendra Kumar and Vinay Yadav, the accusation is omnibus and general when there is no accusation of repeating blow by Virendra Kumar and Vinay Yadav and the occurrence took place in the background of election dispute, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi in connection with Kanhauli P.S. Case No. 108

of 2014, subject to the conditions as laid down under Section
438(2) Cr.P.C.



(Dinesh Kumar Singh, J)