

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28525 of 2015

Arising Out of PS.Case No. -64 Year- 2015 Thana -HASANPUR District- SAMASTIPUR

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1. Ganga Mahto @ Ganga Prasad Mahto son of Late Dhanik Mahto
2. Ramakant Mahto
3. Laxami Kant Mahto @ Laxmi Mahto both 2 & 3 sons of Satya
Narayan Mahto
All residents of Village - Kale Narpat Nagar, P.S. Hasanpur, District -
Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh
For the Opposite Party/s Mr. Jitendra Kumar Singh-I(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 24.07.2015 Heard learned counsel for the petitioners as well as learned
Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Hasanpur P. S. case no. 64/2015 registered under sections 341, 342,
323, 324, 325, 308, 504 and 506/34 of the Indian Penal Code.

No doubt, there is case and counter case between the parties
and persons from both sides sustained injuries and some co-accused
persons have already been admitted to anticipatory bail by different
benches of this court but taking into account the injuries sustained by
the informant, I am not inclined to extend the privilege of anticipatory
bail to the petitioners as they have participated in the alleged crime
and there is specific allegation that they assaulted the informant with
different weapons and accordingly, their prayer for anticipatory bail in

connection with the above stated case stands rejected.

However, if petitioners surrender within six weeks from today and seek regular bail, their regular bail application shall be considered on its own merit without being prejudiced by this rejection order, particularly, keeping in mind the factum of counter case as well as this aspect of the matter that some co-accused are enjoying the privilege of anticipatory bail.

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(Hemant Kumar Srivastava,J)

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