

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29595 of 2015

Arising out of PS.Case No. -107 Year- 2014 Thana -ANGARGHAT District- SAMASTIPUR

1. Suresh Mahto.
2. Shankar Mahto.
3. Mahesh Mahto. All are Sons of Ram Jatan Mahto, Resident of Village - Nunphara, Police Station- Angarghat, District - Samastipur.

.... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

Appearance :

For the Petitioners : Mr. Alok Kumar Sinha, Advocate.
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-07-2015 The petitioners are apprehending their arrest in connection with Angarghat P.S. Case No. 107 of 2014 for the offences instituted under Sections 148, 149, 324, 307, 379 and 504/34 of the IPC.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that while the informant Shatrudhan Mahto was at his darwaza, all of sudden, Suresh Mahto alongwith other nine accused persons came there and began to abuse him. He objected. Thereafter, Suresh Mahto asked as to where Niesh has gone who had quarreled with his son, he assaulted Shatrudhan Mahto by Farsa on his arm. His son



Nitish Kumar came to save him. He was also assaulted by Farsa by Suresh Mahto which caused injury on eye brow. Shankar Mahto assaulted his father by iron rod on his leg and arm. Ganesh Mahto assaulted to Raj Kumar Mahto by Farsa and Mahesh Mahto by Garasa to Sahdeo Mahto on his head. Mukesh Kumar Mahto assaulted Dropadi Devi by rod. Bhim Mahto assaulted to Sugia Devi by rod. Shiv Chandra Mahto caught Sugia Devi due to which her blouse was torn and she became naked. Monu Kumar took away golden chain and bag. Ram Yatan Mahto assaulted to Satish Kumar by Lathi. Bhim Mahto assaulted Aarti Kumari. He was brought to Samastipur for treatment.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is a case and counter-case. Petitioners' side has also sustained injury in course of occurrence but the same has not been explained by the prosecution which casts serious doubt upon the prosecution case.

On behalf of the State and informant it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Angarghat P.S. Case

No. 107 of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Samastipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)