

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55377 of 2015

Arising Out of PS.Case No. -170 Year- 2015 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Ram Prasad Mahto Son of Late Bhagan Mahto
2. Radhe Shyam Mahto
3. Bittu Mahto
4. Pradeep Mahto
5. Sandeep Mahto @ Sandeep Kumar
All sons of Ram Prasad Mahto
6. Motilal Mahto Son of Late Bhagat Mahto
7. Nand Lal Mahto Son of Moti Mahto
8. Kalawati Devi Wife of Ram Prasad Mahto
All the Resident of village - Ahirwaliya Vriti Tola, Police Station -
Chowtarawa, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Manoj Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 16-12-2015 Heard learned counsel for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 143, 341, 323, 379, 307, 504 of the Indian Penal Code.

The prosecution case is that on protest being made for demolition of wall of the informant, the accused persons assaulted the informant, his father, brother and brother's wife.

It is submitted by the learned counsel for the petitioners that two persons from the informant's side have

received grievous injuries, but the accusation of assault is omnibus and general. There is counter version of the occurrence and admittedly in the background of land dispute accusation has been levelled. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent. Moreover, the informant has retracted from the initial version and filed a petition to that effect before learned court below.

The aforesaid facts constitute ground for consideration of prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Choutarawa P.S. Case No. 170 of 2015, pending in the court of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran.

With this observation this application is disposed of.

(Dinesh Kumar Singh, J)

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