

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55541 of 2015

Arising Out of PS.Case No. -86 Year- 2015 Thana -DERNI District- SARAN

- =====
1. Krishna Mahto, son of Ram Sewak Mahto
 2. Shatrudhan Mahto, son of Krishna Mahto
 3. Umesh Mahto, son of Harendra Mahto
 4. Lal Babu Mahto, son of Chaturbhuj Mahto
 5. Lakshman Mahto @ Lakshuman Mahto son of Shankar Mahto
 6. Ram Babu Mahto, son of Shankar Mahto All are resident of village-
Sutihar Nan Tola, P.S.- Derani, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhaw Prasad Yadaw

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-12-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 323, 307, 379 and 504 of the Indian Penal Code.

The prosecution case is that eight accused persons including the petitioners assaulted the nephew of the informant and when the informant went to rescue then Sikandar Mahto assaulted with Bhujali on the head of the informant and Prem Mahto assaulted with iron rod on the hand of the informant. It is further alleged that petitioner no.5 Laxman Mahto snatched gold chain worth ₹60,000/- of the informant.

It is submitted by learned counsel for the petitioners that specific accusation of assault is against Sikandar Mahto who is not the petitioner before this Court. The accusation of assaulting the nephew of the informant is omnibus and general against the petitioners. For the occurrence of 05.09.2015 at 7.30 PM the FIR was lodged on 06.09.2015 at 11.30 AM. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

The aforesaid facts constitute good ground for consideration of prayer for regular bail.

Let the learned court below consider the prayer for regular bail of the petitioners if they surrender within a period of six weeks in connection with Derani P.S. Case No. 86 of 2015 pending in the court of learned ACJM, 7th Chapra, Saran.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

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