

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40878 of 2014

Arising Out of PS.Case No. -56 Year- 2014 Thana -MADHEPUR District- MADHUBANI

- =====
1. Gulabiya Devi, wife of Shri Rameshwar Mahto,
 2. Sudha Devi, wife of Chhotelal Mahto, both residents of village – Nawada, P.S. – Madhepur, District - Madhubani
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.41048 of 2014

Arising Out of PS.Case No. -56 Year- 2014 Thana -MADHEPUR District- MADHUBANI

- =====
1. Laxami Devi @ Lakhaminya Devi wife of Mshri Lal Mahto residence of Village - Nawada, P.S. Madhepur, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.40878 of 2014)

For the Petitioner/s : Mr. Ram Narayan Mahto

For the Opposite Party/s : Mr. Manoj Kumar No.1(App)

(In Cr.Misc. No.41048 of 2014)

For the Petitioner/s : Mr. Ram Narayan Mahto

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 22-01-2015 Heard learned counsels for the petitioners and the State.

The petitioners are languishing in custody since 17.4.2014 and 9.7.2014 in a case registered for the offences punishable under Sections 147,148,149,341,323,324,307,302 and 504 of the Indian Penal Code.



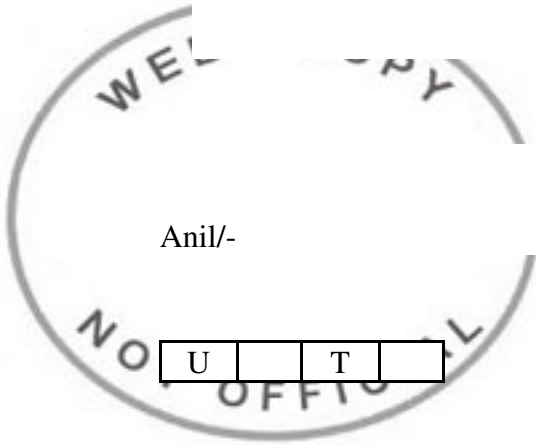
It is alleged that for planting tree on the land of the informant by accused persons, the husband of the informant objected when co accused Chhotelal Mahto assaulted on the head of the informant's husband with Khanti. Informant raised alarm when her two sons reached, thereafter Rameshwar Mahto assaulted with lathi to the husband of the informant. Thereafter, the petitioners came and assaulted the informant, her husband and others.

It is submitted by the learned counsel for the petitioners that specific accusation is against Chhotelal Mahto and Rameshwar Mahto and accusation against these petitioners is general and omnibus. It is further submitted that postmortem report reflects that the husband of the informant succumbed to head injury.

It is submitted by learned counsel for the informant that the accusation of assault is also against these petitioners.

Considering the fact that the accusation against these petitioners is general and omnibus and specific accusation of assault is against Chhotelal Mahto, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, Jhanjharpur

in connection with Madhepur P.S. Case No. 56 of 2014.



(Dinesh Kumar Singh, J)