

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50962 of 2015

Arising Out of PS.Case No. -68 Year- 2015 Thana -KASHICHAK District- NAWADA

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1. Snehi Mahto son of Bharat Mahto
 2. Bharat Mahto, son of late Bhojal Mahto, Both resident of village-Bhatta, P.S. –Kashichak, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Narsing Tanti(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-11-2015

Heard learned counsel for the petitioners Mr. Pankaj

Kumar Sinha and learned A.P.P. for the State.

Since the petitioner No. 2, Bharat Mahto, has already been arrested, learned counsel for the petitioner seeks permission to withdraw the name of the petitioner No. 2 from this application. Accordingly, anticipatory bail application on behalf of petitioner No.2 is dismissed as withdrawn.

The sole petitioner Snehi Mahto, apprehends his arrest in connection with Kashichak P.S.Case No. 68/2015 registered for offences punishable under Sections 341, 323, 307, 379, 504, 34 of the Indian Penal Code.

The prosecution case is that on 23.08.2015 early in the morning at 5.30 A.M. informant was going to Railway station



Kashichak for catching the train. When the informant reached near channel of river bridge, all accused persons namely, Jawahir Mahto, Ramphal Mahto, Snehi Matho and Bharat Mahto all of village –Bhatta, P.S.-Kashichak, District- Nawada surrounded him. Jawahir Mahto assaulted by means of Farsa on head but his ear lacerated. Ramphal Mahto assaulted by means of Khanti on stomach which was obstructed by him resulting into cutting of his hand and on second assaulted, his leg was cut. It is further stated that the petitioner Bharat Mahto and Snehi Mahto assaulted by means of lathi to the informant and snatched Rs. 5200/- Rupees.

It has been submitted by the learned counsel for the petitioner that the allegation against him, is only of lathi blow. It has further been submitted that the petitioner has no criminal antecedent, which finds place at para-3 of this petition. Furthermore, learned counsel for the petitioner states that there is counter case bearing Kashickak P.S. Case No. 80/2015 against the informant and others and the present case is a counter case to the said case.

Learned counsel for the petitioner has brought to notice the injury report, which is Annexure-3 to this petition and all injuries are caused by hard blunt substance and simple in nature.

Be that as it may, let the above named petitioner Snehi Mahto in the event of his arrest or surrender before the Court below within a period of six weeks from today be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in Kashichak P.S.Case No. 68 of 2015, subject to the conditions laid down under Section 438 (2)Cr.P.C.

(Nilu Agrawal, J)

Sudha/-

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