

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27823 of 2015

Arising Out of PS.Case No. -178 Year- 2014 Thana -GHOSI District- JEHANABAD

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1. Ram Pravesh Singh S/o Late Ram Bilash Singh
 2. Bipin Singh S/o Ram Pravesh Singh
 3. Arbind Mahto S/o Udit Mahto
 4. Ranjeet Mahto S/o Udit Mahto
- All are resident of village - Chiri, P.S. Ghosi, District - Jehanabad
5. Krishna Yadav S/o Brat Yadav resident of village - Lala Bigha, P.S. Makhdumpur, District - Jehanabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Jharkhandi Upadhyay

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 09-10-2015 Heard both sides.

The petitioners, five in number, apprehend their arrest in a case under Section 307 and other sections of the Indian Penal Code.

The petitioners are named in the F.I.R. Arbind Mahto (petitioner no. 3) is alleged to have assaulted Arun Mahto, the brother of the informant, with iron rod on the temporal region of his head. There is no specific allegation against the other accused persons. It is submitted that the supervising officer found the case

false against petitioner no. 1 Ram Pravesh Singh, petitioner no. 2 Bipin Singh, petitioner no. 4 Rajeet Mahto and petitioner no. 5 Krishna Yadav.

Learned counsel for the informant as well as learned A.P.P., however, opposed the prayer for bail and submitted that Arbind Mahto assaulted Arun Mahto with iron rod on temporal region of his head and blood started oozing out and thereafter he was referred to P.M.C.H.

It appears that the occurrence took place due to some petty dispute and there is no specific allegation of assault against petitioner nos. 1, 2, 4, & 5.

Considering the facts aforesaid, the above named petitioner nos. 1, 2, 4 & 5, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged 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 the learned Chief Judicial Magistrate, Jehanabad in Ghosi P.S. Case No. 178/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of petitioner no. 3, Arbind Mahto is concerned, there is specific allegation that he assaulted Arun

Mahto, the brother of the informant, with iron rod on his head.
Hence, I am not inclined to enlarge the above named petitioner no.
3 on anticipatory bail. Accordingly, the same is rejected.

Dilip/-

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(Prabhat Kumar Jha, J)