

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41286 of 2014

Arising Out of PS.Case No. -27 Year- 2014 Thana -MUSAHRI District- MUZAFFARPUR

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1. Anand Lal Mahto, Son of Late Yadu Mahto
 2. Arun Mahto Son of Anand Mahto
 3. Sunil Mahto @ Sunil Kumar, Son of Bhola Mahto
 4. Pankaj Mahto, Son of Ram Briksh Mahto
 5. Subhash Mahto @ Bholi Mahto @ Subhash Kumar, Son of Late Ram Sagar Mahto. All resident of Village Dwarika Nagar, P.S. Mushahari, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

ORAL ORDER

2 10-04-2015 Heard learned counsel for the petitioners and the State.

Petitioners are apprehending their arrest in connection with a case registered for the offences under Section 307 and other allied Sections of the Penal Code.

It is submitted on behalf of the petitioners that the allegation of assault is attributed to petitioner no. 3 and two others i.e. Bhola Mahto and Ram Briksh Mahto. It is said that Bhola Mahto and Ram Briksh Mahto have been admitted to the privilege of regular bail by the court below itself.

So far petitioner no. 3 is concerned, he is said to have

inflicted gandas blow but the counsel submits that the same injury is not found in the injury report.

As regards petitioner nos. 1, 2, 4 and 5, it is submitted that they are not attributed with any allegation of assault.

Let petitioners surrender in the court below within a period of four weeks from the date of receipt/ production of a copy of this order in the Court below and thereafter the court below should consider the case of each to the petitioners and those found not to have been attributed with any injury be admitted to the privilege of bail to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in connection with Mushahari P.S. Case No. 27 of 2014, subject to the conditions laid down under Section 438(2) Cr.P.C. but if any injury attributed to any of the petitioners is found grievous with reference to the injury report of any of the victim, the request of that/those petitioner(s) be considered in accordance with law.

Until verification of injuries, no coercive steps be taken against the petitioners.

(V.N. Sinha, J.)

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