

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37908 of 2015

Arising Out of PS.Case No. -121 Year- 2015 Thana -MANIGACHI District- DARBHANGA

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1. Jagarnath Mahto Son of Shivjee Mahto
2. Baijnath Mahto Son of Shivjee Mahto
3. Kailash Mahto Son of Baijnath Mahto All Residents of village -
Gopalpur, P.S. Manigachi, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 01-10-2015 Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending arrest in a
case registered for the offences punishable under sections
341,323,307,379 and 504/34 of the Indian Penal Code.

The prosecution case is that the accused
persons assaulted the son of the informant namely Ranjan
Kumar Mahto with fist and slaps when protest was made
then the informant and her husband were assaulted with
iron rod and Khanti. The daughters of the informant
namely Sonu Kumari and Minakshi Kumari came to
rescue then they were also assaulted with iron rod. It is

alleged that co accused Niro Devi and Jagtarni Devi also assaulted with sickle on the head of the two daughters of the informant and petitioner no. 1 snatched five thousand rupees from the pocket of the informant's husband.

It is submitted by the learned counsel for the petitioners that petitioner nos. 1 and 2 are own brothers of the husband of the informant whereas petitioner no. 3 is the son of petitioner no. 2 and due to petty dispute the accusation has been levelled. The major portion of the accusation of assault is omnibus and general and the informant has subsequently retracted from the initial version. There is counter version of the occurrence also. It is further submitted that for the occurrence of 20.4.2015 the FIR has been registered on 25.4.2015.

The relationship between the parties, delayed lodging of the FIR and the retracted version of the informant from initial accusation constitute grounds for consideration of the prayer for regular bail of the petitioners by the learned court below in case the petitioners surrender within six weeks from today in connection with Manigachhi P.S. Case No. 121 of 2015 pending in the court of learned JM Ist Class, Darbhanga.



This application is disposed of with the
aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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