

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28937 of 2015

Arising Out of PS.Case No. -94 Year- 2015 Thana -KORHA District- KATIHAR

- =====
1. Manoj Mahto @ Manoj Kumar Mahto S/o Bihari Lal Mahto,
 2. Bidhan Mahto @ Bidan Mahto S/o Tejo Mahto,
- Both R/o Village- Nakkipur, P.S.- Korha, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar
 2. Lalita Devi W/o Mukesh Singh, R/o Village- Nakkipur, P.S.- Korha,
- District- Katihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhan Chandra Jha

For the Opposite Party/s : Mr. Nawal Kishore Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 24-07-2015

Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 147,
148, 149, 323, 324, 325, 307, 342 and 504 of the Indian Penal
Code.

It is alleged that the petitioners and others
entered into the house of the informant, abused and took away
Rs.50,000/- and mobile when it is alleged that petitioner no. 2
Bidhan Mahto assaulted with lathi and petitioner no. 1 assaulted
with iron rod on the head of the informant whereas Manoj Mahto

also assaulted the informant.

It is submitted by learned counsel for the petitioners that there is no injury report on the record. Statement to that effect has been made in paragraph no. 8 of the petition. For the occurrence of 19.05.2015 the FIR was registered on 23.05.2015 which reached to the court of learned CJM on 25.05.2015, hence, delayed lodging of the case clouds the entire prosecution case.

Considering the delayed lodging of the case and the statement of the petitioners that there is no injury report on record, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 94 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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