

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10817 of 2016

Arising Out of PS.Case No. -216 Year- 2015 Thana -BIHRA District- SAHARSA

- =====
1. Ramdeo Mahto son of late Siyaram Mahto
 2. Siyaram Mahto son of late Visheshwar Mahto
 3. Deepak Kumar Mahto @ Deepak Mahto son of Ramdeo Mahto.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Amit Kr. Rakesh(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2016 Heard learned counsels for the petitioners, informant
and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

The prosecution case is that the informant saw the accused persons ploughing the land of his brother through tractor and on protest being made, petitioner no.1 resorted to fire but no one received injury and when the informant tried to flee away then all the accused persons caught hold of him when co-accused Chandan Mahto assaulted the informant with iron rod on the head of the informant as a result he fell down. It is also alleged that petitioner no.2 snatched wrist watch and petitioner no.3 snatched gold chain of the informant. The accused persons

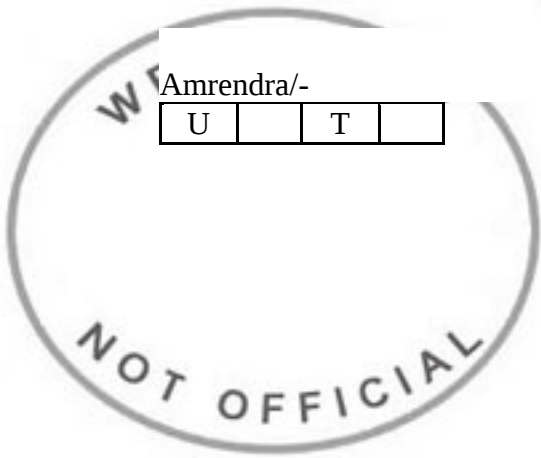
caused loss of ₹1,000/- as on the disputed plot there was grown up crop of Khesari and Tisi.

It is submitted by learned counsel for the petitioners that though there is specific accusation of firing against petitioner no.1 but admittedly no firearm injury was caused to any one. The accusation has been levelled in the background of land dispute. The specific accusation of assault is against co-accused Chandan Mahto. The injury of the informant has been found to be simple. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

It is submitted by learned counsel for the informant that there is specific accusation of firing against petitioner no.1 and petitioner nos. 2 and 3 snatched gold chain and wrist watch.

Considering the accusation levelled in the background of land dispute when no injury was caused by the petitioners, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned JM, 1st Class, Saharsa in connection with Bihra P.S. Case No. 216 of 2015, subject to the conditions as laid down under

Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)