

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6082 of 2016

Arising Out of PS.Case No. -297 Year- 2015 Thana -DUMRA District- SITAMARHI

- =====
1. Shambhu Mahto
2. Madho Mahto Both S/o Siyalal Mahto Resident of village - Kuhmara
Bisnupur, Tole Hariharpur, P/S - Dumra, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur &
Mr. Sanjay Kumar, Advocates

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary No.1 (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 08-02-2016

Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections
341, 323, 307, 379, 448, 504, 506/34 of the Indian Penal
Code.

The prosecution case is that the accused persons
entered variously armed in the courtyard of the informant
and dragged his brother Manoj Mahto on the door,
petitioner no. 1 Shambhu Mahto assaulted him with iron
rod and petitioner no. 2 Madho Mahto assaulted him with
lathi and tried to strangulate him by wrapping towel
around his neck. When he fell down co-accused Santosh
Mahto assaulted with iron rod, causing injury above right

eye. Petitioner no. 1 snatched gold chain from his neck.

It is submitted by the learned counsel for the petitioners that the petitioners are the agnate of the informant. In the background of land dispute accusation has been levelled. There is counter version of the occurrence also. The injury report reflects laceration, abrasion, tenderness with swelling of marginal size which has been found to be simple in nature. For the occurrence of 04.11.2015 the First Information Report was registered on 07.11.2015. Though the fardbeyan was registered on 04.11.2015 in the hospital. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on 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, Sitamarhi in connection with Dumra P.S. Case No. 297 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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