

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16567 of 2016

Arising Out of PS. Case No. -7 Year- 2016 Thana -RAXAUL District- EAST CHAMPARAN
(MOTIHARI)

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1. Ramnath Mahto @ Ramnath Prasad, S/o Chandrika Mahto
 2. Manoj Mahto @ Manoj Prasad, S/o Ramdeo Mahto
 3. Ajay Mahto @ Ajay Prasad Kushwaha, S/o Basdeo Mahto
 4. Vijay Mahto, S/o Badeo Mahto
 5. Bishwanath Mahto, S/o late Kanchan Mahto
 6. Shivsagar Mahto, S/o late Kanchan Mahto
 7. Ashok Mahto, S/o Chandrika Mahto
 8. Ramjanam Mahto, S/o Bishwanath Mahto
 9. Ram Ekbal Mahto @ Ram Ekbal Prasad, S/o Chandrika Mahto
 10. Abhishek Mahto @ Ahishek Kumar, S/o late Ambika Mahto
- All are resident of Village-Dumaria, P.S. Raxaul, Distt East Champaran.
- Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH
ORAL ORDER**

2 02-05-2016 Heard learned counsel for the petitioners, State and
the informant.

The petitioners apprehend their arrest in a case under
Sections 447, 341, 323, 324, 307, 379, 504, 506/34 of the Indian
Penal Code.

The informant, Sanjay Mahto, alleged that in the
morning of 08.01.2016, the accused persons came to his house and
assaulted him, his mother and other family members.

Learned counsel for the petitioners submits that there
is a case and counter case, in which their side has also sustained
grievous injuries. He further submits that though there is specific

allegation against some of the accused persons, but no specific allegations have been levelled against these petitioners, who were armed with lathi and Fattha. He further submits that there is general allegation that all of them surrounded the prosecution side and committed assault.

Counsel for the informant submits that three persons on his side have also sustained grievous injuries.

Having regard to the allegations levelled against the petitioners and also in view of the fact that there is a case and counter case and both sides have sustained injuries, in the event of arrest or surrender before the court below within four weeks from today the above named petitioners be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Raxaul, East Champaran in connection with Raxaul P.S. Case no. 07 of 2016 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

It goes without saying that if there is any misuse of privilege of bail, the informant would make an application for cancellation of their bail bonds.

(Samarendra Pratap Singh, J.)

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