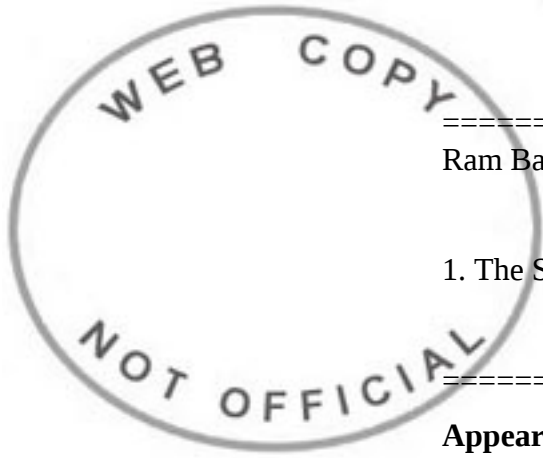




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23814 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

=====

Ram Bahadur Prasad @ Ram Bahadur Mahto Son of late Banarasi Mahto
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-05-2016 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 341, 323,324, 307, 379, 504 of the Indian Penal Code.

Prosecution case is that on 8.01.2016 at 5 PM the accused persons including the petitioner variously armed started damaging the wall of the house of the informant. On protest being made by informant's and his uncle, Ramdeo Mahto, then Sanjay Mahto, assaulted on the head of Vijay Prasad by means of 'farsa' when co-accused, Bheem Prasad, assaulted on the head of Vishwanath Mahto with iron rod. Petitioner Ram Bahadur

Prasad assaulted Ram Nath Prasad by means of 'farsa' and thereafter all the accused persons damaged the wall and robbed cash and mobile.

It is submitted by learned counsel for the petitioner that in the background of land dispute the accusation has been levelled. There is counter version of the occurrence also. Six persons from the informant's sides have received injuries out of which two persons received grievous injuries whereas seven persons from the petitioner's sides have received injuries out of which three persons have received grievous injuries. There is nothing on record to suggest that the petitioner caused grievous injuries to Ram Nath Prasad. There is no accusation of repeating the blow and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Raxaul P.S. Case No.6/2016, pending before the learned SDJM, Raxaul at Motihari, East Champaran.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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