

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47209 of 2016

Arising Out of PS.Case No. -721 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Govind Mahto, Son of Late Darshan Mahto,
2. Dhiraj Kumar,
3. Biraj Kumar,
4. Basant Kumar, Sons of Robin Mahto,
5. Manish Kumar,
6. Manjay Kumar, Son of Govind Mahto, All are resident of Mohalla-
Belbanwa, P.S.- Motihari Town, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate.

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 15-12-2016 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Motihari Town P.S. Case No. 721 of 2015 registered under
Sections 341, 323, 324, 354, 379, 506, 307 and 504 of the Indian
Penal Code.

The accusation is that when the informant on seeing
garbage at his door made query then petitioner no. 1, Gobind
Mahto, started to abuse and saying that he had thrown the garbage.
When the informant made protest, 13 persons named in the F.I.R.



including the petitioner armed with lathi, stick and iron rod reached at his house and causing injury to the informant at his shoulder, head and chest. At that time, Niraj Kumar, caused injury at his right elbow through knife and also snatched his gold chain worth of Rs.30,000/- and cash of Rs.5,000/-. In the meantime, all accused persons entered in his house and tried to commit rape at his daughter by tearing her blouse. At that time, Seema Devi, Muni Devi, Rina Devi and Rekha Devi caused assault through fist and slaps and also administered tool to the daughter of the informant.

Learned counsel for the petitioners submits that, in fact, petitioners and other accused are the next door neighbour of the informant and due to some grudge enmity hot talk was exchanged but due to ulterior motive informant lodged the present case with false allegation. It is further submitted that while the allegation has been made to cause injury to the informant but he was not examined by the Doctor as he has not sustained any injury. It is further submitted that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, 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 six weeks from today, on furnishing bail bond



of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran, in connection with Motihari Town P.S. Case No. 721 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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