

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7623 of 2016

Arising Out of PS.Case No. -311 Year- 2015 Thana -SAHEBGANJ District- MUZAFFARPUR

1. Devendra Kumar @ Devendra Mahto
2. Naresh Mahto @ Naresh Kr. Mahto,
3. Mahesh Mahato,
4. Rakesh Mahato, All sons of Rajendra Mahto, All R/o Village -
Basudeopur Sarai, P.S. - Sahebganj, District - Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. M.K. Nirala (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 18-03-2016 Heard learned counsel, appearing on behalf of the
petitioners, and the learned Addl. Public Prosecutor, appearing on
behalf of the State.

This application for grant of anticipatory bail arises out of
Sahebganj P.S. Case No. 311/2015, disclosing offences under
sections 341, 323, 325, 380, 307, 504, 506/34 of the Indian penal
Code.

Learned counsel for the petitioners has submitted that the
allegation against the father of the petitioners, who has also been
named in the First Information Report, is that he assaulted one
Vishwanath Mahto on his head with Farsa causing head injuries. It
is alleged that these petitioners assaulted the informant and others

variously.

Learned counsel, appearing on behalf of the petitioners, submits that no offence punishable under section 307 of the Indian Penal Code is made out against the petitioners, in view of nature of assault attributed to them. He further submits that the injuries have been found to be simple in nature caused by hard and blunt substance.

Considering the submissions, as above, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M.(West), Muzaffarpur in Sahebganj P.S.Case No. 311/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/ court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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