

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17918 of 2016

Arising Out of PS.Case No. -328 Year- 2015 Thana -TEGHRA District- BEGUSARAI

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Rupesh Mahto @ Rupesh Kumar Mahto S/o Narayan Mahto, R/o Village
Nonpur, P.S. Teghra, Dist. - Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-05-2016 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends arrest in connection with Teghra
P.S. case No.328 of 2015 for offences alleged under Sections 341,
323, 307, 379, 427 and 504/34 of the Indian Penal Code.

The prosecution case, as lodged by the Informant, is that
on 2.11.2015 at about 6 P.M. Rupesh Mahto, Rajesh Sahni and
Chandu Sahni assaulted the informant and others in furtherance of
common intention by butt of pistol and also took away Rs.1500/-
from the cash box.

It has been submitted by the learned counsel for the
petitioner that no overt act has been alleged against him, Section
307 of the I.P.C. is not applicable and he has no criminal

antecedent. It has further been submitted that the injury caused by other co-accused is also simple in nature.

However, learned APP for the State submits that the petitioner was an accomplice of the other co-accused and named in the First Information Report, hence opposes the prayer for bail.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. case No.328 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

Narendra/-

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