

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12492 of 2016

Arising Out of PS.Case No. -86 Year- 2015 Thana -DERNI District- SARAN

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1. Sikandar Mahto , Son of Krishna Mahto
2. Prem Mahto, son of Jagdish Mahto
All are resident of village - Sutihar Nan Tola, P.S. – Derani, District - Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhaw Prasad Yadaw

For the Opposite Party/s : Mr. Asha Devi(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-03-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 323, 307, 379 and 504 of the Indian Penal Code.

Prosecution case is that on 05.09.2015, at 7.30 P.M., while the informant was returning to his home, saw that the accused persons including petitioners assaulting his nephew and on protest being made, petitioner no. 1, assaulted the informant on his head with Bhujali and petitioner no. 2, namely, Prem Mahto assaulted with iron rod causing fracture injury on the left hand of the petitioner. Lakshaman Mahto, co-accused snatched golden chain worth Rs. 6,000. Others also assaulted the informant with *lathi* and *danda*.

It is submitted by learned counsel for the petitioners that though opinion with regard to the injury has been kept reserved but *prima facie* the injury report suggest that the injuries have been found to be simple in nature.

A statement has been made in paragraph -3, that the petitioners have no criminal antecedent.

Considering the nature accusation, this Court is not inclined to grant anticipatory bail to the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioners, if they surrender within a period of six weeks in connection with Derani P.S. Case No. 86 of 2015 pending in the Court of Shri Punit Malviya, Additional Chief Judicial Magistrate, Chapra.

Accordingly, the application stands disposed of.

(Dinesh Kumar Singh, J)

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