

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54293 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -MEDANICHOWK District- LAKHISARAI

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Ram Pravesh Mahto, S/o Late Naresh Mahto, resident of Village- Khawa Chandra Tola, P.S.- Medinichowki, District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Tiwary

For the Opposite Party/s : Mr. Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Mednichowki P.S. Case no. 31 of 2016, registered under Sections 354(A), 354(B), 323, 376 and 427 of the Indian Penal Code and Section 8/10 of POSCO Act.

The accusation is that on 03.03.2015 in the morning Urmila Kumari and Shabnam Kumari, daughter of the informant, were going for tuition then in the way, petitioner and his brother Krishna Mahto, both sons of Naresh Mahto made attempt to tease them. When Urmila Kumari made protest then Krishna dashed Urmila catching her hair and petitioner also catch hair of Shabnam Kumari. At that time, petitioner and his brother Krishna took cash of Rs. 300/- from Urmila Kumari and also snatched golden chain from her neck and snatched their bicycles. When informant went to the house of petitioner for



negotiation then Naresh Mahto, father of the petitioner, caught hold him and started assaulting him and also snatched Rs. 300/- from his pocket. When informant made request to return the bicycles of his daughters then petitioner, his brother and father refused to return the bicycle.

Learned counsel for the petitioner submits that, in fact, father of co-accused Naresh Mahto, who is father of petitioner, and father of the complainant were own brother and due to land dispute Naresh Mahto, father of the petitioner, has lodged Mednichowki P.S. Case no. 19 of 2015, under Section 341, 323, 324, 504,447/34 I.P.C. against the informant and other family members of the present case and only give to undue pressure, this false case has been lodged.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-1st-cum-Special Judge, Lakhisarai in connection with Mednichowki P.S. Case No.31 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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