

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.81 of 2016

Arising Out of PS.Case No. -53 Year- 2015 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

- =====
1. Manoj Mahto Son of Seo Laddu Mahto
 2. Ranbir Mahto son of Seo Laddu Mahto
 3. Manju Devi Wife of Seo Laddu Mahto
 4. Yashoda Devi wife of Krishna Mahto

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar 2(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-01-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 147, 148, 149, 447, 448, 504, 325, 337, 307 and 313 of the Indian Penal Code.

The prosecution case is that the accused persons armed with 'bricks' and 'danda' entered into the house of the informant, made assault and started abusing when sister-in-law (gotani) Lalo Devi and mother-in-law Sampati Devi came to rescue they were also assaulted. The specific accusation of initial

assault to the informant is against petitioner nos. 1 and 2 namely Manoj Mahto and Ranbir Mahto.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

So far as petitioner nos. 3 and 4 are concerned, the accusation of assault being omnibus and general against them being ladies and having no criminal antecedent, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Nalanda at Biharsarif in connection with Sarmera P.S. Case No.53 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Considering the specific accusation of initial assault levelled against petitioner nos. 1 and 2, let the learned Court below consider their prayer for regular bail, if they surrender within a period of six weeks in connection with Sarmera P.S. Case No.53 of 2015, pending before the learned Judicial Magistrate, 1st Class, Nalanda at Biharsarif.

With the above observation, this application, so far as it relates to petitioner nos. 1 and 2 is accordingly, disposed off.

(Dinesh Kumar Singh, J)

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