

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3887 of 2017

Arising Out of PS.Case No. -367 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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1. Bali Mahto @ Baliram Mahto, S/o Late Shivpujan Mahto,
2. Timal Mahto, S/o Late Jatan Mahto,
3. Upendra Mahto, S/o Timal Mahto,
4. Chinta Devi, D/o Timal Mahto, All resident of Village- Ratanpur Bind
Tolia Pokhra, P.S.- Chapra Mufassil, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 04-04-2017 Heard learned counsel for the petitioners, and the
learned counsel representing the State.

The petitioners apprehend their arrest in connection
with Chapra Mufassil P.S Case No. 367 of 2016 registered for the
offences punishable under Sections 147, 148, 149, 323, 307, 379,
448 and 504 of the Indian Penal Code.

Allegedly, the petitioners and other co-accused came
abusive and on the order of petitioner no. 1 all started assaulting
with Lathi, danda, iron rod, fat and fists to Rajkumari Devi, the
mother of the informant. Petitioner no. 2 assaulted with iron rod
causing head injury and then co-accused Anil Mahato took away
silver chain from neck of the mother of the informant and Chinta
Devi, petitioner no. 4 took away box containing cash of Rs.
10,000/- and gold ear-rings and cloths. The mother of the



informant was brought at Sadar Hospital, Chapra from where she was referred to PMCH, Patna.

Submission is of false implication and that the occurrence is of 20.08.2016 but the F.I.R. has been lodged on 07.10.2016 after much delay. In the case diary there is no injury report. The allegation as alleged are false and fabricated, the manner of occurrence is also not true and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail but fairly submits that in the case diary there is no injury report.

In the facts and circumstances stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of the order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each bail with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Mufassil P.S. Case No. 367 of 2016 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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