

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14126 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -MANIGACHI District- DARBHANGA

- =====
1. Arun Mahto @ Arun Kumar Mahto, son of Rajendra Mahto.
 2. Rajendra Mahto, Son of Kankir Mahto.
 3. Sunil Kumar Yadav, Son of Yogendra Yadav, All resident of Village-Gopalpur, P.s. Manigachhi, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-06-2017 Learned counsel for the petitioners is permitted to make necessary correction in paragraph 5 of the petition.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Manigachhi P.S. Case No. 167 of 2016, registered under Sections 341, 323, 324, 307, 337 and 504/34 of the Indian Penal Code.

The accusation is that, on 04.09.2016, informant along with his cousin brother, Rakesh Kumar, was returning to his house boarding at motorcycle, in the way, petitioners along with Shailendra Mahto stopped his motorcycle. At that time, Shailendra Mahto, gave axe blow at the head of the informant whereas petitioners caused injury through iron rod to him.



Learned counsel for the petitioners submits that Anita Devi, wife of co-accused, Shailendra Mahto and sister-in-law of petitioner no. 1, instituted a case bearing Manigachi P.S. Case No. 167 of 2015 against, Ashutosh Kumar Yadav, informant of the present case, due to that reason the present case has been lodged only to give undue pressure. Further submission is that while occurrence is said to be on 04.09.2016 but the F.I.R. has been lodged by the informant on 11.09.2016 after seven days without any explanation. Moreover, the injury as found on the person of the informant is simple in nature, which would appear from annexure 2 to the application.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-6, Darbhanga, in connection with Manigachhi P.S. Case No. 167 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

