

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34117 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -CHANAN District- LAKHISARAI

=====

Nagina Mahto, son of Late Ishwar Mahto, resident of Village- Basueachak,
P.S.- Chanan, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. B.J. Ojha, Adv.
For the Informant : Mr. Dharmendra Kumar Raju, Adv.
For the State : Mr. Gauri Shankar Gupta, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 01-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State as also counsel for the Informant.

In this case, the petitioner is apprehending his arrest
in connection with Chanan P.S. Case No. 18 of 2017 registered for
offences under sections 147, 148, 149, 341, 323, 325, 307, 504,
506 of the Indian Penal Code.

In this case, there is a case and counter case. In the
present case, an allegation has been made that the Informant was
making roof, in the meantime, the accused persons including
petitioner came there, altercation took place, whereupon, accused
Kedar Mahto assaulted with iron rod on the head of the father of
the Informant due to which blood started oozing out and he was
thrown down from the roof, on that account, his wrist was



fractured, accused Ganesh Mahto also assaulted the Informant with iron rod. Nagina Mahto, petitioner in the present case, also assaulted with the butt of the pistol.

Learned counsel for the Informant submits that all the accused persons have surrendered before the court below and obtained regular bail, when the allegations are same, in such circumstances, the petitioner should also be directed to surrender and take bail.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner, namely, Nagina Mahto is rejected.

If the petitioner surrenders before the court below within a period of four weeks from today and prays for bail, the court below will pass orders on the same day of appearance in accordance with law without being prejudiced by this order taking into consideration that other accused persons have been granted regular bail.

(Shivaji Pandey, J)

Rishi/-

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

