

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48453 of 2017

Arising Out of PS.Case No. -147 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Prem Mahto @ Prem Kumar Mahto
 2. Shambhu Mahto
 3. Chandra Deo Mahto @ Chanar deo Mahto all Sons of Jhapsi Mahto,
Resident of Village-Nayi Tola Bhootha, P.S. Paharpur, District East
Champaran, Motihari.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar

For the Opposite Party/s : Mr. Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

- 2 10-10-2017 Learned counsel appearing on behalf of petitioner
No.3 Chandra Deo Mahto @ Chanar Deo Mahto seeks
permission to withdraw the application filed on behalf of
Petitioner no.3.

In view of the above, the application filed on behalf
petitioner No.3 Chandra Deo Mahto @ Chanar Deo Mahto is
dismissed as withdrawn.

Heard leaned counsel for the petitioner Nos. 1 and 2
and the leaned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Paharpur P.S. Case No. 147 of 2017, registered under
Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal
Code, pending in the court of the Chief Judicial Magistrate,
Motihari.

The allegation of informant Ramdeo Mahto is that on



24.05.2017 Chanrdeo Mahto was filling soil at the land of the informant then informant Ramdeo Mahto made protest on which petitioner No.1 Prem Mahto, petitioner No.2 Shambhu Mahto and Chanrdeo Mahto came at the door of the informant armed with knife and Farsa and started to abuse, at that time petitioner No.1 Prem Mahto caused injury through knife at the neck of the informant, while informant tried to flee away then petitioner No.2 Shambhu Mahto caught hold his hand and he again received knife injury when he fell down then Chanardeo also caused knife injury at his back.

Learned counsel appearing on behalf of petitioner Nos. 1 and 2 submits that the occurrence of Marpit took place due to land dispute.

The photocopy of the injury report, which is Annexure-2, disclosed that four grievous injuries were found on the person of informant.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant pre-arrest bail to the petitioner Nos. 1 and 2. Accordingly, their prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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