

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38119 of 2017

Arising Out of PS.Case No. -48 Year- 2017 Thana -MAJORGANJ District- SITAMARHI

- =====
1. Sukhari Sharma son of Om Prakash Sharma
 2. Raj Kumar Mahto @ Raju Mahto son of Anutha Mahto Both residents of village - Hirolwa, P.S. Majorganj, District Sitamarhi.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 21-09-2017 Learned counsel for the petitioner seeks permission to withdraw the application filed on behalf petitioner No.2 Raj Kumar Mahto @ Raju Mahto, son of Anutha Mahto as he has already been apprehended by the Police.

In view of the above, the application filed on behalf of the petitioner No.2 is dismissed as withdrawn.

Heard leaned counsel for the petitioner No.1 Sukhari Sharma and the leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Majorganj P.S. Case No. 48 of 2017, registered under Sections 341, 323, 307, 385, 387 and 379/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Sitamarhi.



The accusation is that on 15.02.2017, in the evening, informant was sitting at his shop at that time five persons named in the F.I.R. including the petitioners came on motorcycle and asked whereabouts of his brother Alok. In the meantime, seven unknown persons having armed with iron rod, piece of bamboo came there, when informant showed his ignorance about his brother Alok then petitioners caused injury at his head through iron rod. On hulla, when Alok, brother of the informant, reached there he was also assaulted by them. Thereafter, nearby people reached there and Harendra Mahto was apprehended, who also sustained injury trying to flee away.

Learned counsel for the petitioners submits that, in fact, petitioners are also running shop adjacent to the shop of the informant due to that reasons, they have also been implicated in this case.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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