

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7750 of 2017

Arising Out of PS.Case No. -294 Year- 2016 Thana -MARHAURA District- SARAN

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1. Shiv Kumari Devi, wife of Kailash Mahto,
2. Kailash Mahto, son of Punkal Mahto,
3. Megh Nath Mahto,
4. Srinath Mahto,
Both are sons of Kailash Mahto,
All are resident of Village- Khorrampur, P.S.- Marhowra (Gaura O.P.),
District- Saran. Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 06-03-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

Supplementary affidavit has been filed on behalf of the petitioners which has been taken on record.

Petitioners apprehend their arrest in connection with Marhaura (Gaura O.P.) P.S. Case No. 294 of 2016 registered for the offences punishable under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

Allegedly, when the informant was going on his motorcycle to grocery shop, in the way, the accused persons including the petitioners surrounded him and co-accused Jainath Mahto assaulted with sword on the head of the informant and



thereafter, Amarnath Mahto assaulted him on his hand and leg with sword and when his uncle and brother came for rescue, they were also assaulted by sword and the petitioner Shiv Kumari Devi assaulted with Mungri on the chest of Shyam Nandan Mahto.

Submission is of false implication and that the petitioners have committed no offence, to save the skin from Marhaura P.S. Case No. 293 of 2016 this case has been lodged falsely and no offence under Section 307 IPC is made out and as such the petitioners deserve sympathetic consideration to which learned APP duly assisted by learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that in para 3 of the bail application wrong statement has been made as the petitioners have got criminal antecedent, they are involved in other cases also but the same has been suppressed. By way of supplementary affidavit it is being brought on the record and further in prosecution of the common object the occurrence has been caused and the informant and others have been assaulted brutally. The petitioner Shiv Kumari Devi has assaulted on vital part of the body which is the chest of Shyam Nandan Mahto.

In the facts and circumstances stated above, considering that in paragraph 3 of this application criminal antecedent of the petitioners have been suppressed and as such, I am not inclined to



grant privilege of pre-arrest bail to the petitioners, accordingly,
their such prayer stands rejected.

avin/-

(Jitendra Mohan Sharma, J)

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