

IN THE HIGH COURT OF JUDICATURE AT PATNA**Criminal Miscellaneous No.36203 of 2017**

Arising Out of PS.Case No. -116 Year- 2015 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Manoj Mahto son of Late Chalitar Mahto
2. Ruplal Mahto son of Late Bhajan Mahto All residents of Village -
Madhuaha, P.S. Rajepur, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv

For the Opposite Party/s : Mr. Nand Kishore Pd, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 21-08-2017 Heard learned counsel for the petitioner as well as
learned APP.

While the prosecution party had gone to protest over construction of a house by the accused, Rup Lal after encroaching their land and for that, at an earlier occasion, Panchayati was also convened, it has been alleged that after forming an unlawful assembly, the accused persons including petitioners, variously armed resisted and during course thereof, Lakhendra Mahto & Lakh Mahato gave Farsa blow over head of Chandeshwar Mahto, deceased and during course thereof, others also assaulted the informant, Sikandar, his Bbhabhi, Sunita Devi. At an earlier occasion, petitioners along with others moved for anticipatory bail under Cr.Misc.No. 29876/2016 (Annexure-1) whereunder the female petitioners were released on anticipatory bail after



perceiving presence of single ante-mortem injury over the deceased while prayer of petitioners along with others were rejected on the ground that though in omnibus manner but they happen to be assailant of remaining prosecution party. From the injury report tagged with petition under Anneuxre-4 series, it is evident that injured, Sunita Devi, Dharmendra Kumar, Upendra Mahto, Sikandar Mahto, all had sustained simple injury caused by hard and blunt substance.

Accordingly, petitioners, Manoj Mahto and Ruplal Mahto are directed to be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Motihari, East Champaran in connection with Rajepur PS Case No. 116/2015.

(Aditya Kumar Trivedi, J)

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