

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26797 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -ANGARGHAT District- SAMASTIPUR

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1. Sanjiv Mahto @ Sanjiv Kumar Mahto, Son of Late Mahadeo Mahto,
2. Rupesh Mahto @ Rupesh Kumar Mahto, Son of Sanjiv Mahto,
3. Richa Kuamri, D/o Sanjiv Mahto, All Resident of Village- Murgiyachak,
P.S.- Khanpur, District- Samastipur. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Satyendra Kumar Srivastava

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioners, learned counsel for the informant and the learned A.P.P. representing the State.

The petitioners apprehend their arrest in connection with Angarghat P.S Case No. 15 of 2017 registered for the offences punishable under Sections 147, 149, 341, 323, 354, 307, 379, 504 and 506 of the Indian Penal Code.

Allegedly, the petitioners Sanjiv Mahto and Richa Kumari after assaulting with Feet and fat, pulled the scarf after roping it around the neck of the informant with an intention to kill her and her husband has assaulted the informant with belt and petitioner no. 2 Rupesh Mahto torn Sameez and made her naked.

Submission is of false implication and that the petitioners were not present at the time of occurrence and with a



view to give colour, they have been implicated in this case and have got no concern with the husband of the informant and, as such, the petitioners deserve sympathetic consideration.

Learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that the petitioner nos. 1 and 3 have assaulted the informant and tried to kill her after roping the scarf around her neck by pulling and the petitioner Rupesh Mahto torn sameez of the informant.

In the facts and circumstances stated above, considering the allegation attributed against the petitioners, this Court is not inclined to grant privilege of pre-arrest bail to the petitioners and accordingly, their such prayer stands rejected in connection with Angarghat P.S. Case No. 15 of 2017 pending in the Court of learned Sub Judge-2nd-cum-J.M. 1st Class, Dalsingsarai, Samastipur.

However, the petitioners, if so advised, surrender and seek regular bail, the same shall be considered on its own merit without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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