

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29737 of 2017

Arising Out of PS.Case No. -88 Year- 2017 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Pradeep Mahto @ Pradeep Kumar, son of Triveni Mahto,
2. Jhaliya Devi, wife of Triveni Mahto,
3. Nathuni Mahto, son of Late Charitar Mahto, All resident of Village-
Karnameya, P.S.- Muffasil, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar Mishra

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-08-2017 Heard both sides.

The petitioners apprehend their arrest in Muffasil Bettiah P.S. Case No. 88 of 2017 registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that the petitioners and others came and on account of land dispute, Triveni Mahto exhorted to kill the informant, Pradeep Mahto @ Pradeep Kumar assaulted the informant with Pharsa on his head. Jhaliya Devi, petitioner no. 2 is alleged to have assaulted Mina Devi, wife of the informant. Nathuni Mahto is alleged to have assaulted the informant with Lathi.

Learned counsel for the petitioners submits that there is



case and counter case. The injuries found on the body of Mina Devi on account of assault made by petitioner no. 2 are simple in nature. Petitioner no. 3 is alleged to have assaulted the informant with Lathi.

Considering the facts aforesaid, the petitioner no. 2 Jhaliya Devi and petitioner no. 3 Nathuni Mahto in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah in Muffasil Bettiah P.S. Case No. 88 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far as the case of petitioner no. 1 Pradeep Mahto @ Pradeep Kumar is concerned, he is alleged to have assaulted the informant with Pharsa as well as with Lathi and the injuries found on the body of the informant is grievous in nature, I am not inclined to enlarge the petitioner no. 1 Pradeep Mahto @ Pradeep Kumar on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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