

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54667 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -MANPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Manager Mahto, S/o Late Jagdish Mahto,
2. Rameshwar Mahto, S/o Late Jagdish Mahto,
3. Jitendra Mahto, S/o Manager Mahto,
4. Sangeeta Devi, W/o Rameshwar Mahto, All Resident of village -
Bhatuhawa, P.S. Manpur, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Manpur P.S. Case No. 26 of 2016 registered under Sections-307,
379 & other minor sections of the Indian Penal Code.

The present occurrence appears to have taken place
on account of flowing of drainage water and both parties lodged
the cases against each others. Moreover, the first information
report goes to show that the petitioner No. 1 gave lathi blow
causing head injury to Nand Kishore Mahto. So far as rest
petitioners are concerned; there is omnibus allegation of assault
and snatching of belongings of the informant and his family
members against them. The injury report of injured Nand Kishore



Mahto goes to show that three injuries were found on his person and out of them, only one sharp cut injury on the scalp was found on the person of the injured, Nand Kishore Mahto. It is the prosecution case itself that at the time of alleged occurrence, it was co-accused Rajeshwar Mahto who was armed with farsa and, therefore, it appears that the injury found on the scalp of Nand Kishore Mahto was attributed to co-accused Rajeshwar Mahto. So far as allegation of snatching of belongings of the informant and others is concerned; the same appears to be superficial.

Considering the above-said facts and circumstances of the case as well as submission of the parties, this anticipatory bail petition is allowed and it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Manpur P.S. Case No. 26 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran subject to condition as laid down u/S 438(2) of the Code of Criminal Procedure Code.

(Hemant Kumar Srivastava, J)

A.K.V./-

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