

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24427 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Lakshman Mahto, Son of Pathar Mahto, R/o Village- Teliya Pokhar, P.S.-
Town, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Karandeep Kumar, Advocate.

For the Opposite Party : Mr. Yogendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 14-07-2017 Heard both sides.

The petitioner apprehends his arrested in Begusarai Town P.S. Case No. 121 of 2016, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The informant alleged that the people of his mohalla raised alarm that some persons are assaulting Sitaram Das, the father of the informant near Teliya Pokhar. The informant went there and saw Bhushan Kumar @ Bhushani, Mangla @ Mangaliya, Laxman Maho, the petitioner and Kari Mahto assaulting his father. Bhushan Kumar @ Bhushani assaulted his father with sharp edged weapon and others were holding him.

Learned counsel for the petitioner submits that the petitioner is ofcourse named in the FIR but police after



investigation submitted final form finding accusation against the petitioner false but learned Judicial Magistrate took cognizance against the petitioner also. It is further submitted that the informant in his further statement did not disclose the name of the petitioner but it appears that the informant at his first instance lodged the case and very categorically stated that the petitioner and other accused persons were assaulting and holding his father and Bhushan Kumar @ Bhushani assaulted his father with sharp edged weapon and his father became unconscious. The informant brought his father to hospital where doctor declared him dead.

Considering the nature of allegations made against the petitioner, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrender before the court below within four weeks from the date of receipt/production of a copy of this order pray for regular bail and prayer for regular bail of the petitioner shall be considered on its own merit without being prejudiced of this order.

(Prabhat Kumar Jha, J.)

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