

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11389 of 2017

Arising Out of PS.Case No. -469 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA
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1. Ravindra Mahto, S/o Late Bhapsi Mahto,
2. Sanjeev Mahto @ Sanjeev Kumar Mahto, S/o Ravindra Mahto.
3. Nooriya Devi @ Ram Kumari Devi, W/o Ravindra Mahto.
4. Majorni Devi, W/o Bhola Mahto.
5. Bhola Mahto, S/o Musho Mahto, All Resident of Village- Makhnaha,
P.S. K. Nagar (Sri Nagar), District- Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar

For the Opposite Party/s : Mr. Sri Ajit Kumar
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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 25-04-2017 Heard the learned counsel for the petitioners as well
as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with K. Nagar (Sri Nagar) P.S. Case No. 469 of 2016 for the offences punishable under sections 147, 148, 149, 341, 323, 324, 307, 448, 457, 379, 380, 384, 427 and 504 of the I.P.C.

The learned counsel for the petitioners submits that though the petitioners are named in the FIR wherein 51 accused persons are named and 100 unknown, the allegation against petitioner no.1 is that he assaulted Shambhu Mahto on his head but the final injury report of Shambhu Mahto shows that the injury



is simple caused by the hard and blunt substance, vide supplementary case diary, paragraph-4. Against the rest petitioners there is no allegation for assaulting any one. Nothing has been recovered from possession of the petitioners and as such they deserve sympathetic consideration as similarly situated co-accused, namely, Indal Kumar, Rajesh Mahto, Ashok Mahto, Ranjana Devi and Sulekha Devi have been granted pre-arrest bail vide Cr. Misc. No. 16387 of 2017 by another co-ordinate Bench of this Court and further co-accused Ram Kishun Mahto, Bablu Mahto and Nunuma Mahto @ Nunma Mahto have been allowed pre-arrest bail vide Cr. Misc. No. 10955 of 2017 by this Court.

The learned A.P.P. fairly submits that the injury of Shambhu Mahto is simple caused by the hard and blunt substance.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Purnea in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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