

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 55755 of 2018

Arising Out of PS.Case No. -321 Year- 2018 Thana -KHAGARIA District- KHAGARIA

- =====
1. Bhim Singh S/o Late Hriday Mahto
 2. Anoj Kumar S/o Late Surendra Mahto
 3. Manoj Kumar S/o Late Surendra Mahto
 4. Biran Mahton S/o Late Hriday Mahto
 5. Tejo Mahton S/o Late Hriday Mahto
 6. Pankaj Kumar S/o Bindeshwari Mahto All resident of Village- Mathurapur Ward No. 11, P.S. and District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 28-09-2018

Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in Khagaria P.S.
Case No. 321 of 2018 dated 21.05.2018 instituted under Sections
147/341/323/504/379 and 307 of the Indian Penal Code.

3. The petitioners along with four others are
accused of brutally assaulting the informant and his family



members and also taking away ornaments and money.

4. Learned counsel for the petitioners submitted that there is also a counter case for the same incident filed earlier to the present case. It was submitted that the petitioners are not involved in any wrong doing and the petitioner no. 6 is the informant of the other case.

5. Learned A.P.P. submitted that in the other case the petitioner no. 6 has admitted that he along with others had gone to erect electric pole which was objected by the informant and others and they were assaulted with brick bats. It was submitted that the allegation against the petitioners and others in the present F.I.R. is that the informant and others, including the petitioners, had forcibly tried to put electric pole on the private land of the informant, which was objected, due to which the informant and other family members were brutally assaulted.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioners on anticipatory bail.

7. The application, accordingly, stands dismissed.

8. However, in the event the petitioners surrender and pray for regular bail before the Court below, within four weeks from today, the same shall be considered on its own merits, in



accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

Anand Kr.

AFR/NAFR	
U	
T	

