

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.75971 of 2018**

Arising Out of PS. Case No.-79 Year-2018 Thana- MAJHAULIA District- West Champaran

1. BINESHARI MAHATO @ BINDESHWARI PRASAD KUSHWAHA @ BINDESHWARI MAHATO son of Late Kodai Mahato
2. Nand Kishore Mahato son of Late Kodai Mahato
3. Saheb Kumar son of Bineshari Mahato @ Bindeshwari Prasad Kushwaha
4. Rabindra Mahato son of Nand Kishore Mahato
5. Dosh Mahato @ Dhora Mahato son of Late Ram Narayan Mahato
6. Bhola Mahato @ Manoj @ Manoj Prasad Kushwaha @ Manoj Mahato son of Ramchadra Mahato
7. Ranglal Mahato son of Late Shankar Mahato
8. Babita Devi wife of Bineshari Mahato @ Bindeshwari Prasad Kushwaha
9. Premshila Devi @ Shila Devi wife of Nandu Mahato All are Residents of Village- Gurchurwa, Police Station- Majhaulia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brij Kishor Mishra  
For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      21-12-2018                      Heard both sides.

The petitioners apprehend their arrest in Majhaulia P.S. Case No. 79 of 2018 under Sections 147, 148, 149, 341, 323, 324, 354, 379, 506 of the Indian Penal Code and under Section 8 of POCSO Act.

The informant alleged that while they were enjoying Holi festivals, one Saheb Kumar ill teased Risha Kumari. When the informant protested Nandu Mahto and other petitioners came and assaulted the informant with farsa on his head. The



petitioners are alleged to have assaulted the female members of the informant.

The learned counsel for the petitioners submits that there is a counter version being Majhaulia P.S. Case No.78 of 2018. The villagers were enjoying Holi festival and some verbal altercation took place which resulted in mutual assault with each other and for that, case and counter case have been lodged. Both sides have compromised the case.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge 1<sup>st</sup>-cum-Special Judge, Bettiah, District-West Champaran in connection with S.G.R. No.27 of 2018 arising out of Majhaulia P.S. Case No. 79 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Saurabh/-

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**(Prabhat Kumar Jha, J)**

