

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42321 of 2018

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1. Vishwakarma Mahto, S/o Ramchandra Mahto,
2. Rampyare Mahto.
3. Arbind Mahto, Both S/o Late Kishun Mahto.
4. Param Mahto, S/o Ramchandra Mahto,
5. Ramprasad Mahto, S/o Late Dukhan Mahto.
6. Pappu Mahto, S/o Bholu Mahto, ,
7. Shiv Mahto, S/o Chandra Mahto, All R/o Village- Kurmaeen, P.S.-
Obra, District- Aurangabad.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-07-2018

Heard both sides.

The petitioners apprehend their arrest in Obara P.S.
Case No.118 of 2018, G.R. No.458 of 2018 registered under
Sections 341, 323, 324, 325, 307 and 504/34 of the Indian Penal
Code.

The informant Jeetendra Kumar alleged that Shailendra
Kumar and Vishwakarma Mahto were extracting straw on his
land. When the informant protested they went to their house. After
sometime the accused Shailendra Kumar, Vishwakarma Mahto
and others including the petitioners having armed with different
weapons came and assaulted the informant. The informant got
head injury. The accused persons also assaulted Manoj Mahto,



Urmila Devi and Ram Raj Mahto.

Learned counsel for the petitioners submits that there is a counter version being Obara P.S. Case No.119 of 2018. The injury report of the informant and others are annexed as Annexure-2. The injury report shows that the informant and his family members got simple injury. No specific allegation of assault is made against the petitioners.

Considering the aforesaid facts and the fact that there is a case and counter case between two sides and both sides have entered into mutual assault on account of land dispute, the petitioners above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad, in connection with Obara P.S. Case No.118/2018(G.R. No.458 of 2018), subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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