

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68182 of 2018

Arising Out of PS. Case No.-82 Year-2018 Thana- BELSAND District- Sitamarhi

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1. Indrajeet Mahto, S/O Dukha Mahto.
 2. Bhushan Mahto, S/O Dukha Mahto.
 3. Shyam Nandan Mahto, S/O Dukha Mahto.
 4. Shiv Kumar, S/O Bhushan Mahto.
 5. Gangadhar Mahto, S/O Baun Mahto.
 6. Vansraj Mahto, S/O Gangadhar Mahto.
 7. Hansh Kumar Mahto alias Hansh Ray, S/O Gangadhar Mahto.
 8. Sunil Mahto, S/O Dinesh Mahto.
 9. Munil Mahto, S/O Dinesh Mahto.
 10. Dilip Mahto alias Dilip Kumar, S/O Sunil Mahto.
 11. Ram Pravesh Mahto, S/O Siya Prasad Mahto.
 12. Dablu Mahto, S/O Ram Pravesh Mahto. All R/V- Nunaura East, P.S.
Belsand, District-Sitamarhi.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Virendra Kumar, Advocate.
For the Opposite Party : Mr. Rajeev Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 147, 149, 341, 323,
324, 307, 379, 380, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 14.05.2018
at about 7.15 P.M. all F.I.R. named accused persons variously
armed with *Daab*, *Lathi*, *Fatha* and *Ganabi* came at the house
of the informant and attacked upon him and his family



members. Co-accused Hari Kishore Mahto inflicted *Fatha* blow due to which he sustained head injury. Co-accused Suraj Mahto also assaulted him with rod on his arm and back. Petitioner no. 10 Dilip Mahto, co-accused Sohan Mahto and Santosh Mahto gave *Daab* blows on head and back of his son Suraj Patel due to which he also sustained injuries and became unconscious. They also assaulted the father and wife of the informant with *Daab* and rod. Petitioner no. 5, 12 Gangadhar Mahto, Dablu Mahto and co-accused Sohan Mahto also took away Rs. 6500/- from pocket of his son. Accused persons looted away cash Rs.1,00,000/- and ornaments from his house. Petitioner nos. 2, 10 Bhushan Mahto, Dilip Mahto and co-accused Mohan Mahto assaulted his daughter-in-law, who was pregnant that time.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is case and counter case between the parties. Injury on the side of accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the



petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- I, Sitamarhi, in connection with Belsand P.S. Case No. 82/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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