

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41930 of 2018

Arising Out of PS.Case No. -459 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Girish Mahto @ Krishna Mahto S/o Bhabhishan Mahto @ Rajbhabhishan Mahto, R/o Vill.- Ojha Mathiya, P.S.- Majhauliya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-07-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Sessions Trial No. 343 of 2017 arising out of Majhauliya P.S. Case No. 459 of 2015 registered for offences punishable under Sections 147, 149, 341, 323, 307, 504 and 302 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is that the nephew of the informant was assaulted by the petitioner and others at the time of returning from market and just after the next day of the occurrence, the petitioner along with others assembled at the door of the informant and they also assaulted with lathi and phatta , causing injuries.



Submission of the learned counsel for the petitioner is that the allegation against the petitioner is general and omnibus and charge sheet has not been submitted against the petitioner and cognizance against the petitioner was also not taken against the petitioner but later on under Section 319 of the Cr.P.C. summons have been issued against the petitioner.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named, surrenders before the court below within a period of six weeks from the date of the order and pray for regular bail, which will be considered by the trial court on the basis of submission made above and considering the same, he shall dispose of the prayer for bail, if possible on same day.

This application is accordingly disposed of on the same date.

(Vinod Kumar Sinha, J)

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