

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54762 of 2018

Arising Out of PS. Case No.-48 Year-2018 Thana- PHULPARAS District- Madhubani

-
1. Surendra Prasad @ Surendra Prasad Yadav @ Surendra Bhadaishwar Son Of Hari Nandan Bhadaiswar
 2. Jai Krishna Parsaila @ Jai Krishna Prabaila son of Pandav Parsaila
 3. Rajendra Kumar Mahto @ Rajeshwar Mahto @ Rajesher Mahto Son of Ram Prasad Mahto
 4. Manik Lal Mahto @ Munga Lal Mahto, Son of Ram Prasad Mahto
 5. Satrughan Mahto @ Shatrughan Kumar @ Shatrughan Mahto Son of Ram Ratan Mahto
 6. Ram Ratan Mahto Son of Kimi Mahto
 7. Hare Ram Mahto Son of Jageshwar Mahto
 8. Pintu Chhitahan @ Pintu Chhitan Son of Rajendra Chhitahan
 9. Sacchu Chhitahan @ Sanchchu Chihtan @ Surendra Kumar Son of Rajendra Chhitahan All are residents of Village - Balua, P.S.Phulpras, Dist - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 10-10-2018 Learned counsel for the petitioners submits that petitioner no. 4, namely, Manik Lal Mahto @ Munga Lal Mahto, has been arrested by the police, so he seeks permission to withdraw this application with respect to petitioner no.4.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn with respect to petitioner no.4.

Heard learned counsel for the petitioner nos. 1, 2, 3, 5,



6, 7, 8 and 9 and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Phulparas P.S. Case No. 48 of 2018 registered under Section 307 and other allied Sections of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that 16 persons named in the F.I.R. including the petitioners and 32 to 35 unknown came in the courtyard of informant Gita Devi and set fire at her house. In the meantime, Pitu Chittanan and Rajeshwar Mahto torn the cloths of her two daughters and tried to outrage her modesty. At that time, her cousin father-in-law was also assaulted.

Learned counsel for the petitioners submits that, in fact, occurrence of Marpit took place due to land dispute, in which, petitioners' side also sustained, regarding which, Phulparas P.S. Case No. 47 of 2018 is also instituted on the basis of written report of co-accused, Rajelal Mahto. Moreover, no injury was found on the person of the informant and the injury, as found on cousin father-in-law of the informant, is simple in nature. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner nos. 1, 2, 3, 5, 6, 7, 8 and 9



be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M.-II, Jhanjharpur, Madhubani, in connection with Phulparas P.S. Case No. 48 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

