

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3274 of 2019

Arising Out of PS. Case No.-214 Year-2018 Thana- DAUDPUR District- Saran

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1. Raju Mahto, Son of Sharda Mahto, Resident of Village Laguni Ke Tari, PS Daudpur, District Saran
 2. Pappu Mahto, Son of Sharda Mahto, Resident of Village Laguni Ke Tari, PS Daudpur, District Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Vilochan Tiwary

For the Opposite Party/s : Mr.Arun Kumar(App82)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 28-01-2019 Heard both sides.

Petitioners apprehend their arrest in Daudpur P.S.
Case No.214 of 2018 registered under Section 307 and other
minor sections of the Indian Penal Code.

The informant, Kameshwar Mahto, named four
persons including the two petitioners, namely, Raju Mahto and
Pappu Mahto and alleged that Pappu Mahto, petitioner no.2,
assaulted the informant with iron rod on his head and when his
nephew, Sujeet Mahto, came to save, Raju Mahto, petitioner
no.1, assaulted him with iron rod on his head. Consequently his
nephew also got injury on his head. The informant further
alleged that other accused persons also assaulted them. The
reason behind the occurrence is that Raju Mahto eve-teased her



granddaughter who fled away from there and informed the informant. Thereafter the informant went to enquire about the incident.

Learned counsel for the petitioners submits that there is allegation against Pappu Mahto, petitioner no.2, that he assaulted the informant with iron rod and no other allegation is made against petitioner no.2, Pappu Mahto. The informant, Kameshwar Mahto got simple injury on his head.

Taking into consideration the facts aforesaid, let petitioner no.2, namely, Pappu Mahto, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st, Saran at Chapra in connection with Daudpur P.S. Case No.214 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

So far as the case of petitioner no.1, Raju Mahto is concerned, Raju Mahto is alleged to have assaulted Sujeet Mahto with iron rod on his head. Sujeet Mahto got one grievous injury, i.e., line fracture of bone of head. Raju Mahto, petitioner no.1 is also said to have eve-teased the granddaughter of the



informant.

Taking into consideration the fact that on account of assault made by Raju Mahto, Sujeet Mahto got grievous injury on his head, I am not inclined to enlarge petitioner no.1, namely, Raju Mahto on anticipatory bail.

Accordingly, the prayer for anticipatory bail of petitioner no.1, namely, Raju Mahto is rejected.

(Prabhat Kumar Jha, J)

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