

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3786 of 2019

Arising Out of PS. Case No.-353 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

1. Jhulan Mahto @ Phulan Mahto son of Muneshwar Mahto, Resident of Village- Mahto Mushehari, P.s.- chapra Mufassil, Distt. Saran.
2. Ravindra Mahto son of Suresh Mahto Resident of Village- Mahto Mushehari, P.S.- Chapra Muffassil, District- Saran.

... .. Petitioner/s

Versus

The State Of Bihar Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6816 of 2019

Arising Out of PS. Case No.-353 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

RAHUL MAHTO@ Rahul Kumar son of Suresh Mahto Resident of village- Mahto Mushehari, P.S.-Chapra Muffassil, District-Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3786 of 2019)

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Rajesh Kumar

(In CRIMINAL MISCELLANEOUS No. 6816 of 2019)

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-03-2019 Both the cases arises out of the same P.S.case number, as such they are being heard together for disposal.

Heard the parties.

The petitioners of both the cases are apprehending their arrest in connection with Chapra Mufassil P.S.Case No.353 of



2018 , registered for offences punishable under Sections 341, 323, 324, 326, 307/34 of the Indian Penal Code.

Allegation against Jhulan Mahto @ Phulan Mahto is of order-giver, against Rabindra Mahto is that he assaulted by knife to Rakesh Kumar (both petitioners of Cr. Misc. No.3786 of 2019) and against Rahul Mahto @ Rahul Kumar (petitioner of Cr. Misc. No.6816 of 2019) is of giving *Chhura* blow to Yogendra Mahto.

Submission of the learned counsel for the petitioners in both the cases is that there is case and counter case and para 10 of the case diary shows that Rakesh Kumar has himself stated that he has not got treatment of any Doctor and so far Jhulan Mahto @ Phulan Mahto is concerned there is no allegation of assault against him, so far Rahul Mahto @ Rahul Kumar is concerned, injury is grievous though the opinion has provisionally been given.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, so far petitioners Jhulan Mahto @ Phulan Mahto and Rabindra Mahto (both petitioners of Cr. Misc. No.3786 of 2019) are concerned, let both the petitioners,



above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Saran at Chapra in connection with Chapra Mufassil P.S.Case No.353 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner Rahul Mahto @ Rahul Kumar (petitioner of Cr. Misc. No.6816 of 2019) is concerned, he is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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