

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14135 of 2019

Arising Out of PS. Case No.-111 Year-2018 Thana- PANAPUR District- Saran

1. Amrendra Mahto Son of Lalan Mahto
2. Gajendra Mahto Son of Lalan Mahto
3. Manoj Mahto Son of Bhagwan Mahto
4. Bharat mahto@ Bharat Mahto Son of Chandra Shekhar Mahto
5. Lalan Mahto Son of Late Masehi Mahto
6. Madan Mahto Son of chandra Shekhar mahto
7. Saroj Mahto Son of Bhagwan Mahto

All Resident of village – Gopalpur, Police Station-Huassainganj, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 10-06-2019 Heard learned counsel for the petitioners as well as
learned APP.

Learned counsel for the petitioners is permitted to
amend para-3 of the petition.

In the background of land dispute Complaint Petition
No.3816 of 2017 was filed on 22.12.2017 showing the date of
occurrence as 28.11.2017 and further, no cogent explanation of
delay has been given save and except whatever been
incorporated under para-4 of the complaint petition putting an



allegation against the petitioners that all the accused persons came variously armed, instructed the complainant to execute sale deed and in the aforesaid background, the accused persons assaulted the complainant as well as Jamadar Mahto, Yogendra Mahto, Harendra Mahto with lathi. On protest by the villagers they have also hurled bomb. Aforesaid complainant was sent to local police in accordance with Section 156(3) Cr.P.C. and on the basis thereof, Panapur P.S. Case No.111/2018 has been registered. In terms of order dated 08.03.2019 case diary is available. From perusal of the case diary, it is evident that irrespective of nature of the injury, the so-called injured were examined on 28.11.2017 on a police requisition but, the whole case diary is absent why not case was instituted, FIR was recorded.

That being so, petitioners **Amrendra Mahto, Gajendra Mahto, Manoj Mahto, Bharat Mahto @ Bharat Mahto, Lalan Mahto, Madan Mahto, Saroj Mahto** are directed to be released on bail in the event of their arrest /surrender before the learned lower court within fortnight on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned ACJM, IVth, Saran at Chapra in connection with Panapur P.S.



Case No.111 of 2018 in terms of condition as laid down under
Section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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