

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20204 of 2019

Arising Out of PS. Case No.-171 Year-2017 Thana- CHAPRA TOWN District- Saran

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1. Ramu Mahto, Son of Late Vishnu Mahto Resident of Village - Purvari Roza, Dharu Tola, P.S.- Chapra Town, Distt - Saran
 2. Samu Mahto @ Shyamu Mahto Son of Late Vishnu Mahto Resident of Village - Purvari Roza, Dharu Tola, P.S.- Chapra Town, Distt - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Najmul Hoda

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-05-2019 Heard leaned counsel for the petitioners and the leaned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chapra Town P.S. Case No. 171 of 2017, registered under Sections 447, 341, 323, 325, 504 and 302/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Chapra.

The accusation is that due to land dispute, both the petitioners along with her mother Laxmi Devi, Ramawati Devi and Manju Devi came at the door of informant and started to abuse, when informant made protest then both the petitioners caused repeated iron rod blow at Pintu Mahto, son of the informant, as a result thereof, he became unconscious. Thereafter, Laxmi Devi, Manju Devi, Ramawati Devi caused



injury at the head of the informant. Thereafter, Pintu Mahto was rushed for treatment at Sadar Hospital, Chapra from where he was referred to PMCH, Patna, but he died during the course of treatment.

Learned counsel appearing on behalf of the petitioners submits that while petitioners are named in the F.I.R. with specific allegation to cause injury to son of the informant, but later on, the informant has given three applications before the Chief Judicial Magistrate, Chapra to the effect that F.I.R. has been lodged on the basis of suspicion and his son had sustained injuries due to falling on ground.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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