

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28960 of 2019

Arising Out of PS. Case No.-359 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

1. MITHLESH KUMAR Son of Late Nathun Mochi, Resident of Vilalge-Saida, P.S. Makhadumpur, District- Jehanabad.
2. Navin Das, Son of Late Nathun Mochi, Resident of Vilalge- Saida, P.S. Makhadumpur, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 06-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Makhdumpur P.S. Case no. 359 of 2018, registered under Sections 147, 148, 149, 323, 325, 307 and 504 of the Indian Penal Code.

12 named accused persons including the petitioners are said to have assaulted Ramu Das on his hand, Satendra Das on his head, Minta Devi on her head and the informant on his left knee descending at his courtyard.

It is submitted by learned counsel for the petitioners that the petitioners have no concern with the



aforesaid occurrence. They have been falsely implicated in the case due to animosity. There is case and counter case between the parties and the persons of both the sides have sustained injury in the occurrence. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Only injury on the head of Satendra Das and on the hand of Ramu Das were found grievous while other injuries of Satendra Das and other victims are simple in nature. There is only one head injury of Satendra Das and assailant of said injury is not ascertained. Petitioners have no criminal antecedent.

On the other hand, learned APP for the State opposing the bail petition submitted that petitioners along with other accused persons assaulted the informant and three other accused persons, out of whom, two sustained grievous injury. Hence the petitioners do not deserve bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, 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 learned S.D.J.M.,



Jehanabad in connection with Makhadumpur P.S. Case No. 359
of 2018, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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