

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34532 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- KHANPURA District- Samastipur

1. PREM LAL MAHTO @ PREMLAL MAHTO Son of Late Sita Ram Mahto Resident of Village-Chakka (Hariyavad Chak), P.S.-Khanpur, District-Samastipur.
2. Amit Kumar Singh @ Ram Babu Mahto Son of Sri Prem Lal Mahto @ Premlal Mahto Resident of Village-Chakka (Hariyavad Chak), P.S.-Khanpur, District-Samastipur.
3. Guddu Kumar Son of Sri Hari Chandra Mahto @ Harichandra Mahto @ Harichandra Prasad Resident of Village-Chakka (Hariyavad Chak), P.S.-Khanpur, District-Samastipur.
4. Rakesh Kumar @ Laxman Kumar Son of Sri Prem Lal Mahto @ Premlal Mahto Resident of Village-Chakka (Hariyavad Chak), P.S.-Khanpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No 13, Advocate
	:	Mr. Rohit Kumar, Advocate.
For the State	:	Mr.Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-05-2019 Heard learned counsel for the petitioners and learned APP for the State.

The four petitioners apprehend their arrest in connection with Khanpur P.S. Case No. 04 of 2019 registered for offences punishable under Sections 147, 148, 149, 307, 323, 325, 341, 379 and 504 of the Indian Penal Code.

As per F.I.R., it appears that the occurrence took place when the accused tried to remove the speed breaker. It is further



alleged that the accused persons including the petitioners, variously armed came and assaulted the informant and other members of his family, resulting in injuries on different persons of the informant's family.

It is submitted on behalf of the petitioners that prior to the instant case on 04.01.2009, the petitioner No. 1 had himself submitted a written report to the SHO, Khanpur P.S. which led to the registration as Khanpur P.S. Case No. 03 of 2019. It is further submitted that almost all the injuries, including on the body of Arun Kumar Mahto and Sanjay Kumar were found to be simple in nature and some injuries, which were said to be grievous were on non-vital part of the body.

Learned APP for the State opposes the prayer for bail and submits that all the petitioners besides others were involved in assault, leading to serious injury on the body of the family members of the informant.

Considering the genesis of occurrence, the allegations made in the FIR and the nature of injuries, let all the four petitioners, Prem Lal Mahto@ Premlal Mahto, Amit Kumar Singh@ Ram Babu Mahto, Guddu Kumar and Rakesh Kumar @ Laxman Kumar, in the event of their arrest or surrender in the court below within a period of six weeks from today in



connection with Khanpur P.S. Case No. 04 of 2019 corresponding to G.R. No. 57 of 2019, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Samastipur subject to the conditions as laid down under Section 438 (2) of Cr.P.C.

(Partha Sarthy, J)

sudha/Gautam

U			
---	--	--	--

