

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37984 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- LAUKAHA District- Madhubani

1. BISHNU DEO MAHTO @ BISHNU MAHTO Son of Muneshwar Mahto Resident of Village - Chainpur, P.S.- Laukaha, District- Madhubani
2. Ajay Kumar Mahto @ Ajay Mahto Son of Achchhelal Mahto Resident of Village - Chainpur, P.S.- Laukaha, District- Madhubani
3. Anand Kumar Mahto Son of Shiv Bachan Mahto Resident of Village - Chainpur, P.S.- Laukaha, District- Madhubani
4. Shiv Bachan Mahto Son of Jay Lal Mahto Resident of Village - Chainpur, P.S.- Laukaha, District- Madhubani
5. Gauri Shankar Mahto @ Gauri Mahto Son of Lachhu Ram Mahto Resident of Village - Chainpur, P.S.- Laukaha, District- Madhubani
6. Achchhelal Mahto @ Achhelal Mahto Son of Shiv Bachan Mahto Resident of Village - Chainpur, P.S.- Laukaha, District- Madhubani
7. Jay Prakash Mahto Son of Tanuk Lal Mahto Resident of Village - Chainpur, P.S.- Laukaha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-09-2019 At the very outset, it is submitted that the petitioner no.2 (Ajay Kumar Mahto @ Ajay Mahto) has been arrested during the pendency of this application.

As such the application against the petitioner no.2 is dismissed as withdrawn.

Heard learned counsel for the parties.

Petitioner no. 1 and 3 to 7 are apprehending their arrest



in connection with Laukaha P.S.Case No.28 of 2019 , registered for offences punishable under Sections 341, 323, 325, 448, 354(B), 379, 504, 506/34 of the Indian Penal Code.

As per the written report, the petitioners and other accused persons assaulted the informant and his daughter. It further appears from the FIR that there is land dispute between the parties.

Submission of the learned counsel for the petitioners is that there is general and omnibus allegation against the petitioners and the specific allegation is against one Kumar Mahto and Dev Kumar Mahto. Allegation of outraging the modesty is ornamental in nature.

Heard learned A.P.P. and the learned counsel for the informant, who has opposed the prayer for bail on the ground that one of the injuries is grievous in nature. .

Having heard both sides and in view of allegation being general in nature and case and counter case, let the petitioner nos. 1 and 3 to 7, above named, in the event of arrest or surrender before the learned court below, 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 Sri P.K. Mahatha, J.M. 1st Class,
Jhanjharpur , Madhubani in connection with Laukaha P.S.Case
No.28 of 2019, subject to conditions as laid down under Section
438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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