

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65241 of 2018

Arising Out of PS. Case No.-196 Year-2018 Thana- GOVINDGANJ District- East
Champaran

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1. Shambhu Mahto Son of Bhadai Mahto
 2. Ramchandra Mahto Son of Bhadai Mahto
 3. Surendra Mahto Son of Ramchandra Mahto
 4. Mahendra Mahto Son of Jata Mahto
- All Resident of Village-Nagdaha Nara, P.S. Malahi (Gobindganj), District
East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Umesh Chandra Verma, Advocate
For the State	:	Mr. Matloob Rab, APP
For the informant	:	Mr. Binay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 09-01-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 307 and 379 of the Indian Penal Code registered in connection with Govindganj (Malahi) P.S. Case No. 196 of 2018 and subsequently, Section 302 IPC has been added.

3. It is submitted that the petitioners have been falsely implicated as evidently, the informant is not the eye-witness to the occurrence. The accusation against the petitioners is omnibus and general in nature.

4. Learned APP assisted by learned counsel appearing for the informant suo motu opposes the anticipatory bail petition. Perusal of the case diary discloses that witnesses Rupa Kumari in paragraph 4, Maya Devi in paragraph 33 and Birendra Tiwary in paragraph 35 have stated that the co-accused Rajesh Mahto have delivered blow on



the head of the deceased with lathi. The post mortem report at paragraph 50 of the case diary does not disclose any external injury. Internal injury includes fracture of frontal bone and fracture of right side of 2nd, 3rd, 4th of chest ribs and cause of death is shock and hemorrhage due to hard and blunt substance.

5. Considering the nature of accusations, gravity of offence alleged and finding of the doctor in the post mortem report, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

BT/Chandran

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