

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68918 of 2018

Arising Out of PS. Case No.-187 Year-2018 Thana- DIGHWARA District- Saran

1. Reshmi Devi, Wife of Dhuri Mahto, R/o -Maner, P.S.-Maner, District-Patna at present Manupur, P.S.-Dighwara, District-Saran.
2. Neta Mahto, Son of Late Bhagwat Mahto, R/o-Shankarpur, P.S.-Shahpur, District-Patna at present Manupur, P.S.-Dighwara, District-Saran.
3. Dhuri Mahto, Son of Late Butai Mahto, R/o-Shankarpur, P.S.-Shahpur, District-Patna at present Manupur, P.S.-Dighwara, District-Saran.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ghanshyam Tiwary, Advocate.
For the Opposite Party : Mr. Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-01-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 341, 323, 324, 307,
504/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that petitioner no. 1
Reshmi Devi had taken loan of Rs. 15,000/- one year ago from
the informant for which she called the informant at her *Naihar*
for returning the said amount. On 01.09.2018, when the
informant went for getting the said amount near the *Idgah*
situated at north side N.H.19, petitioner nos. 2 and 3 Neta
Mahto, Dhuri Mahto and his son co-accused Manoj Mahto and



two unknown persons abused and assaulted the informant. In that process, co-accused Manoj Mahto with an intention to kill him fired upon the informant causing injury on his right chest. After sustaining injuries, he fell down. Thereafter, accused persons fled away. The injured was admitted in P.H.C. from where he was referred to P.M.C.H.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The case diary does not bear the injury report. The main allegation is against co-accused Manoj Mahto who is alleged to have fired upon the victim. As far as petitioners are concerned, general and omnibus allegation has been made for assaulting the victim with hard and blunt substance.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Saran (Chapra), in connection with Dighwara P.S. Case No. 187 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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