

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44754 of 2019

Arising Out of PS. Case No.-337 Year-2018 Thana- MADHAURAH District- Saran

1. MUKESH MAHTO Son of Lallan Mahto Resident of Village- Rampur, Police Station- Marhowrah, District- Saran at Chapra.
2. Lallan Mahto Son of Late Narshingh Mahto Resident of Village- Rampur, Police Station- Marhowrah, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Tiwary

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-09-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Marhowrah P.S.Case No.337 of 2018 registered for offences punishable under Sections 341, 323, 325, 504, 379, 302 / 34 of the Indian Penal Code.

As per the FIR, there is allegation against these petitioners that they have assaulted by fists & slaps and legs to the aged lady causing injury and later on she succumbed to the injuries.

Submission of the learned counsel for the petitioners is that as a matter of fact she received injuries while she had gone to attend her call of nature and the petitioners have falsely been



implicated in this case.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that there are allegations against these petitioners and furthermore the injuries are also on the person of the injured.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioners are directed to surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court on the basis of the materials available in the case diary.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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