

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47033 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- JADOPUR District- Gopalganj

1. Mahatam Mahato, Son of Late Bangali Mahato Resident of Village- Bagha, Police Station- Jadopur, District- Gopalganj.
2. Ganesh Mahato Son of Late Bangali Mahato Resident of Village-Bagha, Police Station-Jadopur, District-Gopalganj.
3. Pawan Mahato @ Pawan Kumar Son of Late Satendra Mahato @ Satendra Kumar Prasad Resident of Village-Bagha, Police Station-Jadopur, District-Gopalganj.
4. Jitendra Mahato Son of Late Pahwari Mahato Resident of Village-Bagha, Police Station-Jadopur, District-Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 30-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jadopur P.S. Case no. 41 of 2019, registered under Section 341, 323, 324, 325, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that in the mid day of 02.05.2019, seven persons named in the F.I.R., including the petitioners, started to store bricks unloading from tractor at the land of informant then informant Ramakant Bhagat made



protest on which all started to cause assault in which informant sustained blood oozing injury at his head. On raising alarm by the informant, his sons Shree Niwash and Omjee rushed to save then they were also assaulted through lathi and Farsa.

Learned counsel for the petitioners submits that occurrence of Marpit took place due to land dispute in which petitioners' side also sustained injury regarding which Jodipur P.S. Case No. 40 of 2019 was instituted on 03.05.2019 on the basis of fardbeyan of petitioner No.1 Mahatam Mahto. Moreover, the injuries as found on the person of informant and his sons are simple in nature and regarding some injury the opinion was kept reserved, which is apparent from case diary which is upto paragraph No. 45. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate-1st Class, Gopalganj in connection with Jadipur P.S. Case No. 41 of 2019, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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