

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49609 of 2019

Arising Out of PS. Case No.-108 Year-2018 Thana- KALYANPUR District- East Champaran

1. Parmeshar Mahto @ Parfesar Mahto, Son of Late Budh Ram Mahto Resident of Village - Manapur, P.S.- Kalyanpur, Distt - East Champaran.
2. Rajeshwar Mahto Son of Sukhal Mahto Resident of Village - Manapur, P.S.- Kalyanpur, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kalyanpur P.S. Case no. 108 of 2018, registered under Sections 341, 323, 324, 325, 307, 379, 354(B) and 504/34 of the Indian Penal Code.

The accusation is that after cutting of Sisham tree, the log of Sisham tree was kept by the informant at his door. On 14.06.2018 at about 3.30 P.M., seven persons named in the F.I.R., including the petitioners, having lathi, dab, khanti etc. in their hand came at the door of the informant and made attempt to carry the Sisham log, when the informant came out from the



house and made inquiry, then Asheshwar Mahto ordered to kill the informant. Thereafter, all started to cause assault to the informant at that time, Asheshwar Mahto caused injury at the head of the informant through Dab. Thereafter, Om Prakash Mahto caused injury to the informant through Khanti at his left hand. When Rajpati Devi, wife of the informant, came then she was also assaulted by Ramashish Mahto. At that time, Rajeshwar Mahto torn the Blouse of wife of the informant and Ramashish Mahto snatched golden chain from the neck of the wife of the informant. When Santosh Mahto, Babita Devi and Sarita Devi, son, daughter-in-law and daughter of the informant came then they were also assaulted. At that time, Kariman Mahto snatched golden chain from the neck of Sarita Devi.

Learned counsel for the petitioners submits that, although, the petitioners are named in the F.I.R., but no specific overt has been attributed against the petitioners. 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 their 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) with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Kalyanpur P.S. Case No. 108 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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