

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59648 of 2019

Arising Out of PS. Case No.-187 Year-2019 Thana- NAANPUR District- Sitamarhi

1. CHARITAR MAHTO @ CHALITAR MAHTO Son of Late Janak Mahto, Resident of Village - Banaul, P.S.- Nanpur, Dist.- Sitamarhi.
2. Raghunath Sah @ Raghunath Mahto son of Charitar Mahto @ Chalitar Mahto, Resident of Village - Banaul, P.S.- Nanpur, Dist.- Sitamarhi.
3. Shanti Devi W/o Charitar Mahto @ Chalitar Mahto, Resident of Village - Banaul, P.S.- Nanpur, Dist.- Sitamarhi.
4. Sangita Devi W/o Raghunath Mahto, Resident of Village - Banaul, P.S.- Nanpur, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-09-2019 Heard both sides.

Petitioners apprehend their arrest in Nanpur P.S. Case No.187 of 2019 registered under Sections 341, 323, 324, 354, 307, 504, 506 and 34 of the Indian Penal Code.

The informant alleged that the petitioners and others came and on the order of Chalitar Mahto, Shatrughan Mahto assaulted the informant with farsa on his head. When the son of the informant came to save, Raghunath Mahto assaulted him with iron rod and he got injury on his head. The other family members of the informant were also assaulted.



Learned counsel for the petitioners submits that there is a counter version being Nanpur P.S. Case No.190 of 2019. Petitioner no.1 is own brother of the informant. The two brothers engaged in mutual assault on each other on account of land dispute as well as family dispute. The injuries found on the persons of the injured are simple in nature. Now, the case has been compromised.

Having considered the facts that two brothers engaged in mutual assault with each other but the injuries sustained by the injured are simple in nature and both brothers have compromised the case, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri at Sitamarhi in connection with Nanpur P.S. Case No.187 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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