

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.55910 of 2019

Arising Out of PS. Case No.-182 Year-2019 Thana- KAUWAKOL District- Nawada

1. CHANDO MAHTO, aged about 60 years, Male, Son of Late Durgi Mahto, Resident of village- Bijho, P.S.- Kawakol, District- Nawada
2. Anju Devi, aged about 22 years, Female, Wife of Ramdeo Mahto Resident of village- Bijho, P.S.- Kawakol, District- Nawad ... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Bharat Lal, Adv.

For the Opposite Party : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Kawakol P.S. Case No. 182 of 2019 for the offences alleged under Sections 341, 323, 326, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The accusation is that in the evening of 28.06.2019, the informant, Yugal Mahto, and his brother, Virendra Mahto, came at house from Brij Raj Nagar and entered in the house, at that time, 7 persons, named in the first information report, including the petitioner, having rod and sword, started to abuse. At that time, Dhanpat Mahto with sword attacked at his neck, but, he saved himself and sword injury caused at the hand of his brother, Virendra Mahto, who fell down on the ground. Thereafter, Mohan Mahto and Bhola Mahto caused injury through iron rod to his brother. At that time, Shyamlal Mahto and Chando Mahto (petitioner no. 1) also pelted the



stones. Ramdeo Mahto snatched Rs.7,000/- and mobile.

The submission of the learned counsel for the petitioners is that while the petitioners are named in the first information report, but, only allegation has been made about pelting stones at the time of occurrence. Petitioner no. 2 has no criminal antecedent while petitioner no. 1 is accused in three cases, but, he is on bail in that cases.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Kawakol P.S. Case No. 182 of 2019 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, I, Nawada, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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