

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59007 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

1. ARUN MAHTO @ ARUN KUMAR, aged about 48 years, Male, Son of Late Siyalal Mahto @ Siya Saran Mahto, Resident of Village- Bariyarpur, Police Station- Piri Bazar, District- Lakhisarai
2. Simmi @ Simmi Kumar @ Simmi Kumari, aged about 24 years, Female, D/O Arun Mahto @ Arun Kumar, Resident of village- Bariyarpur, Police Station- Piri Bazar, District- Lakhisarai
3. Rimmi @ Rimmi Kumari, aged about 22 years, Female, D/O Arun Mahto @ Arun Kumar, Resident of village- Bariyarpur, Police Station- Piri Bazar, District- Lakhisarai
4. Bambam @ Bambam Kumar @ Ayush Kumar, aged about 19 years, Male, Son of Arun Mahto @ Arun Kumar, Resident of village- Bariyarpur, Police Station- Piri Bazar, District- Lakhisarai ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Arvind Kumar, Adv.
For the Opposite Party : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-09-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Piri Bazar P.S. Case No. 10 of 2019 for the offences alleged under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that in the morning of 21.01.2019, the informant has gone to throw ashes in his field, then, Arun Mahto (petitioner no. 1), started to abuse. When informant, Ram Bilash Mahto, made protest, then, Arun Mahto, his wife,



Rimmi, Simmi and Bambam, having lathi, stick and iron rod in their hands came near the informant and started to cause injury. The informant sustained blood oozing injury. On raising alarm of the informant, when his son came for his rescue, he was also assaulted.

The submission of the learned counsel for the petitioners is that in fact due to dispute of throwing water from the roof occurrence of marpeet took place in which petitioners side also sustained injury regarding which Piri Bazar P.S. Case No. 9 of 2019 on the basis of the fardbeyan of Rimmi Kumari was also instituted on 12.01.2019 under Sections 341, 323, 326, 307, 504 and 506/34 of the Indian Penal Code. More over, the injuries found on the persons of the inured are simple in nature.

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 Piri Bazar P.S. Case No. 10 of 2019 shall be released on 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 Subdivisional Judicial Magistrate,



Lakhisarai, 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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