

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16238 of 2020

Arising Out of PS. Case No.-241 Year-2019 Thana- UJIYARPUR District- Samastipur

1. BHOLA MAHTO Son of Late Ramashankar Mahto @ Late Ram Shankar Mahto Resident of Village-Akaha Bishanpur, P.S.-Ujiarpur, District-Samastipur.
2. Ram Guleb Mahto Son of Nanhki Mahto Resident of Village-Akaha Bishanpur, P.S.-Ujiarpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-09-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Ujiarpur P.S. Case No. 241 of 2019, registered for the offences punishable under Sections 341, 447, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

Prosecution case in brief is that on 20.09.2019 while the informant had gone to ease out, the petitioners and other accused persons caught her and took her to their home and indiscriminately assaulted her with iron rod, as a result of which she sustained head injury and injury on her waist. It is further



alleged that when her husband and son came to save her, all the accused persons also assaulted them.

It is submitted that petitioners have been falsely implicated in this case. There is general and omnibus allegation. There is case and counter case. FIR has been lodged after delay of 16 days for which no plausible explanation has been given. Injury report suggests that injury sustained by the informant is simple in nature caused by hard and blunt substance. Petitioners have got clean antecedent.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Dalsingsarai, Samastipur in connection with Ujiarpur P.S. Case No. 241 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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