

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 22171 of 2020**

Arising Out of PS Case No.-899 Year-2019 Thana- LAKHISARAI District- Lakhisarai

1. Ravindra Mahto, aged about 36 years, Gender-Male.
2. Sidharth Mahto, aged about 33 years, Gender-Male.
3. Ajit Mahto, aged about 30 years, Gender- Male.
All sons of Gurucharan Mahto, Resident of Village- Bilauri, P.S. and District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad, Advocate
For the State	:	Mr. Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 11-09-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Bhola Prasad, learned counsel for the petitioners and Khurshid Anwar, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioners apprehend arrest in connection with Lakhisarai PS Case No. 899 of 2019 dated 23.12.2019, instituted under Sections 341, 323, 324, 354A, 354B, 379, 307/34 of the Indian Penal Code.



4. The allegation against the petitioners is of brutal assault on the informant, his daughter and son resulting in grievous injuries and also of taking away gold earring and outraging the modesty of the daughter of the informant.

5. Learned counsel for the petitioners submitted that the parties are agnates and allegation levelled is false. It was submitted that due to some minor dispute, a scuffle happened. It was submitted that against petitioner no. 3, there is no specific allegation of any overt act. It was further submitted that petitioners have no other criminal antecedent.

6. Learned APP submitted that against all three persons, there is allegation of assault and even petitioner no. 3 had assaulted the daughter of the informant when she had fallen down after being injured, which is corroborated from the injury report where seven injuries have been found on the body of the girl out of which three are grievous. Learned counsel submitted that the informant and his son have also been injured and sustaining multiple injuries, including grievous injury.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioners.

8. Accordingly, the application stands dismissed.



9. However, if the petitioners appear before the Court below and seek bail, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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