

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32115 of 2020**

Arising Out of PS. Case No.-282 Year-2019 Thana- KRITYANAND NAGAR District-
Purnia

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Binod Mahto, Son of Late Sharveshwar Mahto, Resident of Village -
Charaiya Rahika, P.S.- Sri Nagar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate.
For the Opposite Party/s : Mr.Khurshid Anwar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-02-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office,

within four weeks of starting of the Court proceeding in

physical mode.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection

with K. Nagar(Srinagar) P.S. Case No. 282 of 2019, registered

under Sections 447, 341, 323, 307, 354-B, 379 and 504/34 of

the Indian Penal Code.

The accusation is that on 23.08.2019, at about 10

A.M., informant, Deodutt Mahto went to his field for sowing

the paddy. At that time, Arvind Mahto, Anil Mahto, Sadan



Mahto and Arun Mahto came and started to abuse without any reason and caused assault through lathi. In short interval, Shri Lal Mahto, Dayal Mahto, Dilip Mahto, Binod Mahto (petitioner) and Chand Kishore also came and started to cause assault, in which, his brother, Dinesh Mahto sustained injury and fell down and become unconscious. When his wife, Pinki Devi, rushed to save then she was outrage her modesty and they also snatched her ear ring.

Learned counsel for the petitioner submits that while the petitioner is named in the FIR along with eight others with general and omnibus allegation of causing assault to the informant and his brother, Dinesh Mahto, but the injuries, as found on the person of Dinesh Mahto, is of simple in nature, which would appear from annexure 2 of the petition. It is further submitted that similarly situated co-accused, Arvind Mahto, Anil Mahto and Sadan Mahto have already been granted privilege of pre-arrest bail by a coordinate Bench of this Court vide order dated 02.03.2020 passed in Criminal Misc. No. 8294 of 2020. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, in connection with K. Nagar (Sri Nagar) P.S. Case No. 282 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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