

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15433 of 2021

Arising Out of PS. Case No.-140 Year-2020 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. SURESH MAHTO Son of Faudi Mahto Resident of Village- Deopura, Ward No.11, P.S.- Nowkothi, District- Begusarai.
 2. RAMCHALITRA MAHTO @ LUDKA MAHTO @ LURKA MAHTO Son of Faudi Mahto Resident of Village- Deopura, Ward No.11, P.S.- Nowkothi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sandip Kumar Gautam
For the Opposite Party/s :	Mr. Shailendra Kumar Asha Devi

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 29-03-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as Mr. Shailendra Kumar, the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Nowkothi P.S. Case No. 140 of 2020 registered for offence punishable under sections 341, 342, 323, 325, 307, 379, 504, 506/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner no. 1 assaulted



the father of the informant on his neck and petitioner no. 2 also assaulted him when he fell on the ground.

The learned counsel for the petitioners has submitted that although, the father of the informant has sustained grievous injury, but in restatement, the informant has changed his statement. He has already stated in fardbeyan. In paragraph 6, his restatement was recorded in which he did not name the petitioner no. 1, rather he has stated that Uday Mahto inflicted rod blow on the neck of the informant's father. He has submitted that the grievous injury suffered by the informant's father is not attributed to the petitioners, rather it has been attributed against co-accused Uday Mahto.

The injury report shows that the father of the informant has sustained grievous injury, which has been attributed against co-accused Uday Mahto, as per restatement of the informant.

Considering the above mentioned facts and circumstances, the petitioners above named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai in connection with Nowkothi P.S. Case No. 140 of 2020, subject to condition



as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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