

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56145 of 2021

Arising Out of PS. Case No.-180 Year-2021 Thana- TURKAULIYA District- East
Champaran

-
1. BELAS MAHTO @ BELAS SON OF SHANKAR MAHTO R/O VILLAGE- TURKAULIYA BRAHM TOLA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN
 2. SHANKAR MAHTO SON OF LATE NATHUNI MAHTO R/O VILLAGE- TURKAULIYA BRAHM TOLA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN
 3. SADHU MAHTO SON OF LATE CHANDRA MAHTO R/O VILLAGE- TURKAULIYA BRAHM TOLA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN
 4. SHIVNATH MAHTO SON OF LATE NATHUNI MAHTO R/O VILLAGE- TURKAULIYA BRAHM TOLA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN
 5. SURAJ MAHTO @ SURYA MAHTO SON OF GUDAR MAHTO R/O VILLAGE- TURKAULIYA BRAHM TOLA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN
 6. RAMBHU MAHTO SON OF LATE CHANDRA MAHTO R/O VILLAGE- TURKAULIYA BRAHM TOLA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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

ORAL ORDER

2 28-06-2022 Learned counsel for the petitioners is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the
learned APP for the State.

The petitioners apprehend their arrest in connection with



Turkauliya P.S. Case No. 180 of 2021, registered for the offences punishable under Sections 147, 149, 323, 324, 341, 307, 379, 327, 436, 504 & 506 of the Indian Penal Code.

As per allegation, 14 named accused persons were already in ambush at the field of the informant and when informant reached there, they started abusing him. On protest, at the order of petitioner No. 2, Shankar Mahto, petitioner No. 1, Belas Mahto, assaulted him with *farsa*. Co-accused Chandra Mahto assaulted on his right cheek with knife. The allegation against co-accused Vishwanath Mahto is that he assaulted Latif Ansari, co-accused Brij Kishore Mahto assaulted Ramzan Ansari on his head. As per allegation, co-accused Bharat Mahto assaulted with iron rod on the head of the Shahid Alam and co-accused Deepak Kumar also assaulted him with fists and slaps. Co-accused Bhushan Mahto assaulted Sarfaraz Alam, thereafter, the hut of the informant was set on fire by the named accused persons.

At the outset, learned counsel for the petitioners wants to withdraw the bail petition of petitioner No. 1, Belas Mahto @ Belas.

The prayer is allowed. The anticipatory bail petition of petitioner No. 1, Belas Mahto, is dismissed as withdrawn.

If the petitioner No. 1, Belas Mahto @ Belas, surrenders before the court below and makes a prayer for regular bail, it shall be disposed of without being prejudiced by the order of this Court.

So far as other petitioners are concerned, the learned



counsel for the petitioners has submitted that the injuries suffered by the injured persons are simple in nature, whereas, the opinion of doctor about nature of the injuries is awaited in respect of the informant. He has submitted further that there is case and counter case and the petitioners are the persons of clean antecedents.

Considering the above-mentioned facts and circumstances, let the petitioner Nos. 2 to 6, in the event of their arrest or surrender within four weeks before the learned court below, be released 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 learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkauliya P.S. Case No. 180 of 2021, subject to the conditions 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 provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

SONALI/-

U		T	
---	--	---	--

