

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40775 of 2020

Arising Out of PS. Case No.-102 Year-2020 Thana- TARAIYA District- Saran

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1. JAMUNA MAHTO S/o Late Mukhal Mahto, R/o village- Dumari Chhapiya, P.S.- Taraiya, District- Saran (Chhapra)
 2. SANT KUMAR MAHTO S/o Rektu Mahto, R/o village- Dumari Chhapiya, P.S.- Taraiya, District- Saran (Chhapra)
 3. RAVI KANT PRASAD S/o Jamuna Mahto, R/o village- Dumari Chhapiya, P.S.- Taraiya, District- Saran (Chhapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Kumar

For the Opposite Party/s : Mr. Kanhaiya Kishore

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

ORAL ORDER

3 24-01-2022 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State through video conferencing.

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

The petitioners apprehend their arrest in connection with Taraiya P.S. Case No. 102 of 2020 registered for offence punishable under sections 341, 323, 325, 307, 506/34 of the Indian Penal Code.

As per allegation, the accused persons assaulted the



informant, his father and mother when the informant prohibited them from making noise during lock down. The allegation on co-accused Suryakant Prasad is that he assaulted the informant with *lathi*. He also assaulted the father of the informant with *lathi*. The allegation against petitioner no. 3 is that he assaulted the mother of the informant with fists and flaps.

The learned counsel for the petitioner has submitted that that there is no allegation of giving assault against petitioner no.2. He has also submitted that petitioner no. 1 has also lodged Taraiya P.S. Case No. 105 of 2020 under the similar sections, as the members of petitioners side have been assaulted by the members of informant side. The injury report has been annexed with the case diary, which shows that the injuries sustained by the injured persons are simple in nature caused by hard and blunt substance.

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 Additional Chief Judicial Magistrate-I, Saran at Chapra in connection with Taraiya P.S. Case No. 102 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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