

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9070 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- CHANDI District- Nalanda

1. Gautam Kumar, aged about 27 years, Male Son of Rambhavan Ram @ Rajbhavan Ram.
2. Vishnu Kumar @ Vishnu Kant, aged about 18 years, Male Son of Rambhavan Ram @ Rajbhavan Ram.
3. Govind Kumar, aged about 22 years, Male Son of Rambhavan Ram @ Rajbhavan Ram.
4. Chandan Kumar, aged about 22 years, Male, Son of Sachidanand Ram.
All resident of Village- Belchhi, P.S.- Chandi, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 19275 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- CHANDI District- Nalanda

1. Randhir Mahto, Male, aged about 40 years, Son of Late Ram Pravesh Mahto.
2. Dashrath Mahto, Male, aged about 28 years, Son of Late Jamun Mahto.
3. Guddu Kumar, Male, aged about 20 years, Son of Najay Mahto.
All resident of village- Belchhi P.S.- Chandi District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 9070 of 2021)

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate

For the Opposite Party/s : Dr. Indivar Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 19275 of 2021)

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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

ORAL ORDER

5 02-03-2022

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 the learned Additional Public Prosecutor for the State.

At the very outset, it has been submitted by the learned counsel for the petitioners in Cr. Misc. No. 19275 of 2021, that petitioner no. 2, namely, Dashrath Mahto has been arrested and granted regular bail, as such, this application has become infructuous with respect to him.

Accordingly, this bail petition is dismissed as withdrawn with respect to petitioner no. 2, namely, Dashrath Mahto.

So far as the rest petitioners of Cr. Misc. No. 9070 of 2021 and Cr. Misc. No. 19275 of 2021 are concerned, they apprehend their arrest in connection with Chandi P.S. Case No. 157 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 354, 504, 506 of the Indian Penal Code.

Rubi Devi is the informant. As per allegation, when she was present in her house, accused-petitioner no. 2, in Cr. Misc. No. 19275 of 2021, Dashrath Mahto, Jogendra Mahto, Karamvir Mahto and Randhir Mahto came there and started



abusing the informant and they asked the informant to send the male member from the house, so that they may kill them. Thereafter the petitioner nos. 1 to 4 in Cr. Misc. No. 9070 of 2021, namely Gautam Kumar, Vishnu Kumar @ Vishnu Kant, Govind Kumar and Chandan Kumar, inflicted khanti blow on her head and co-accused persons Chhotu Kumar, Manish Kumar and the petitioner no. 3 in Cr. Misc. No. 19275 of 2021 Guddu Kumar, assaulted the son of the informant Abhinandan Kumar.

Learned counsel for the petitioners submitted that there was previous enmity between both the parties and it was the reason for false implication.

On the other hand, learned APP for the State has submitted that as per the medical report of Rubi Devi, she has sustained grievous injury and her son Abhinandan Kumar has sustained simple injury.

The allegation of assault to Rubi Devi is against petitioners Gautam Kumar, Vishnu Kumar @ Vishnu Kant, Govind Kumar and Chandan Kumar, by khanti blow on her head and she sustained grievous injuries. As such their prayer for **anticipatory bail in Cr. Misc. No. 9070 of 2021, are rejected.**

So far as petitioner nos. 1 and 3, Randhir Mahto and



Guddu Kumar, in Cr. Misc. No. 19275 of 2021 are concerned, the allegation against them is of assaulting Abhinandan Kumar, the son of the informant, who has sustained simple injury.

Considering the above mentioned facts and circumstances, the petitioner nos. 1 and 3 namely Randhir Mahto and Guddu Kumar in Cr. Misc. No. 19275 of 2021, 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 the learned A.C.J.M., Hilsa, Nalanda in connection with Chandi P.S. Case No. 157 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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