

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69888 of 2021

Arising Out of PS. Case No.-125 Year-2021 Thana- BAJPATTI District- Sitamarhi

1. Rajesh Mahto Son of Nagendra Mahto R/o Village Babu Narha, Ward No. 9, P.S. - Bajpatti, District - Sitamarhi.
2. Radhesh Mahto @ Radhesh Kumar Son of Nagendra Mahto R/o Village Babu Narha, Ward No. 9, P.S. - Bajpatti, District - Sitamarhi.
3. Nagendra Mahto Son of Rajdev Mahto R/o Village Babu Narha, Ward No. 9, P.S. - Bajpatti, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Jha
For the Informant	:	Mr. Saurav Anand
For the Opposite Party/s	:	Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in Bajpatti P.S.
Case No. 125 of 2021, registered for the offences punishable
under Section 307 and other allied sections of the Indian Penal
Code.

As per the prosecution case, petitioner no. 3 assaulted
the informant by means of Dabiya causing cut injury on his
hand. Petitioner no. 1 is alleged to have assaulted Jitendra
Mahto nephew of informant by means of rod. Petitioner no. 2
assaulted Jagtaran Devi wife of informant by means of Tengari



causing injury above her eyebrow. Co-accused Raushan Kumar Mahto is alleged to have assaulted Kamal Mahto brother of informant by *Tengari* causing head injury to him. Thus, all the accused persons assaulted the informant and his family members by *lathi*, *danda*, bricks and stones and also damaged household articles. Kamal Mahto died during course of treatment after three months of the alleged occurrence.

It is submitted that dispute arose between the parties over grazing of crops, as a result of which scuffle took place. There is case and counter case. All the injuries attributed to the petitioners have been found to be simple in nature. None of the petitioners are assailant of the deceased. Petitioners claims clean antecedent.

Counsel for informant however, vehemently opposed the prayer for bail.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail 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, Sitamarhi



in connection with Bajpatti P.S. Case No. 125 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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