

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1212 of 2022

Arising Out of PS. Case No.-85 Year-2021 Thana- RAHIKA District- Madhubani

1. RAM KUMAR MAHTO @ RAMKUMAR MAHTO Chhedu Mahto Resident of Village-Ijra, P.S.-Rahika, District-Madhubani.
2. Vimal Kumar Mahto Son of Chhedu Mahto Resident of Village-Ijra, P.S.-Rahika, District-Madhubani.
3. Shambhu Kumar Mahto Son of Chhedu Mahto Resident of Village-Ijra, P.S.-Rahika, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2022 Heard both parties.

The petitioners apprehend arrest in Rahika P.S. Case No. 85 of 2021, registered for the offences punishable under Sections 307, 379 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that on the alleged date and time of occurrence, this petitioner along with other FIR named accused persons assaulted the informant and her son, as a result of which both of them sustained injury and the accused persons also disrobed the informant.

It is submitted that petitioners have falsely been



implicated in this case due to old enmity. Allegation of assault is general and omnibus and no specific overt act has been alleged against this petitioners.

However, counsel for State and informant opposed the prayer for bail and submitted that petitioners are named in the FIR and there is allegation that these petitioners along with others assaulted the informant and her son causing grievous injury.

Considering the facts aforesaid and nature of injury, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected with direction to surrender and seek bail which would be disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

shashi/-

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

