

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35885 of 2023**

Arising Out of PS. Case No.-22 Year-2023 Thana- CHERIYA BARIYARPUR District-  
Begusarai

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1. KASHI MAHTO @ KASHI KUMAR SON OF BALRAM MAHTO  
RESIDENT OF VILLAGE - WARD NO. 2, BENGALI TOLA,  
KHANJAHAPUR, PS- CHERIYA BARIYARPUR, DISTT- BEGUSARAI
  2. MILTAN KUMAR SON OF RAMKRIPAL MAHTO RESIDENT OF  
VILLAGE - WARD NO. 2, BENGALI TOLA, KHANJAHAPUR, PS-  
CHERIYA BARIYARPUR, DISTT- BEGUSARAI
  3. DEEPAK KUMAR SON OF NATHO MAHTO RESIDENT OF VILLAGE  
- WARD NO. 6, BENGALI TOLA, KHANJAHAPUR, PS- CHERIYA  
BARIYARPUR, DISTT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      11-07-2023                      Heard learned counsel for the petitioners and the  
  
State.

Petitioners apprehend their arrest in a case registered  
for the offence punishable under Sections 341, 323, 325, 307,  
385, 379, 504, 34 of the Indian Penal Code.

It is alleged that these petitioners along with other co-  
accused persons assaulted the informant.

It is submitted on behalf of the petitioners that there is  
general and omnibus allegation against these petitioners. No  
specific allegation of assault has been alleged against petitioner



no. 1. Petitioners have got clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner and submits that Petitioner No. 2 assaulted the informant with iron rod, As a result the informant sustained two injuries and the nature of injury is grievous in nature.

Considering the nature of injury, the pre-arrest bail of petitioner no. 2 is rejected.

So far as petitioner no. 1 is concerned, there is no specific allegation and overt act levelled against him, considering the same, in the event of arrest or surrender within six weeks from today, let the petitioner no. 1, as named above, 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 Additional Chief Judicial Magistrate, Manjhaul, Begusarai in connection with Cheriabariyarpur P.S. Case No. 22 of 2023 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Alok Verma/-

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