

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17987 of 2024

Arising Out of PS. Case No.-572 Year-2023 Thana- BARUN District- Aurangabad

1. Chhotu Kumar @ Amit Kumar Son Of Prayag Mahto Resident Of Village- Mungiyathi Bigha, P.S. - Barun, District - Aurangabad
2. Chandan Mahto Son Of Basant Mahto Resident Of Village- Mungiyathi Bigha, P.S. - Barun, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Mukul Kumari, Advocate
For the Opposite Party/s	:	Mr. Anuj Kumar Shrivastava, APP
For the Informant	:	Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 04-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with Barun P.S. Case No. 572 of 2023 registered for the offence under Sections 147, 148, 149, 341, 323, 325, 307, 337, 338 of the IPC and Section 27 of the Arms Act.

3. As per the prosecution case, it is alleged that on 26.11.2023 the informant was sitting in his house in the meantime he got an information that the petitioners alongwith other co-accused persons were cutting paddy from his paddy field thereafter the informant along with his associates have gone to his field and made protest to it. It is further alleged that



all the accused persons came having lathi, Danda, Gadasa, Khanti, Ryfal and started abusing and assaulting. It is further alleged that Chhotu Kumar and Chandan Mahto assaulted the son of the informant by means of khanti on his head.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Petitioners are is in custody since 28.11.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of FIR, injury report as produced by the petitioner and impugned order dated 09.02.2024, it appears that on the basis of written report of the informant FIR was registered against 17 accused persons and in the FIR it is specifically stated that petitioner Chhotu Kumar @ Amit Kumar and Chandan Mahto assaulted the son of the informant by means of Khanti and Prem Chandra Mahto was badly injured. On the basis of injury report total six injuries were found on the person of the victim. In supplementary injury report, injury 1, 2 and 4 are found grievous in nature injury 1 and 2 were found on the vital part of the body. In these circumstances, I am not inclined to grant bail to the petitioner.

7. Accordingly prayer stands rejected.



8. However, if the petitioner remains in custody for about 6 months, he may renew his prayer for bail from the trial court after commitment of the case and the trial court may grant bail to the petitioner.

(Ramesh Chand Malviya, J)

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