

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25749 of 2024

Arising Out of PS. Case No.-676 Year-2023 Thana- GHORASAHAN District- East
Champaran

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1. Shyam Sundar Mahato S/o Jamun Mahato Resident of Village- Sripur Kaswa, P.S.- Ghorashan, District- East Champaran
 2. Jamun Mahato S/o Late Jagan Mahato Resident of Village- Sripur Kaswa, P.S.- Ghorashan, District- East Champaran
 3. Nagina Mahato S/o Late Jagan Mahato Resident of Village- Sripur Kaswa, P.S.- Ghorashan, District- East Champaran
 4. Laxman Mahato S/o Late Thaga Mahato Resident of Village- Sripur Kaswa, P.S.- Ghorashan, District- East Champaran
 5. Sugand Mahato @ Sugandh Mahato S/o Late Kailash Mahato Resident of Village- Sripur Kaswa, P.S.- Ghorashan, District- East Champaran
 6. Rugand Mahato @ Rugandh Mahato S/o Late Kailash Mahato Resident of Village- Sripur Kaswa, P.S.- Ghorashan, District- East Champaran
 7. Raushan Mahato S/o Sugand Mahato Resident of Village- Sripur Kaswa, P.S.- Ghorashan, District- East Champaran
 8. Rahul Mahato S/o Rugand Mahato Resident of Village- Sripur Kaswa, P.S.- Ghorashan, District- East Champaran
 9. Rakesh Mahato S/o Laxman Mahato Resident of Village- Sripur Kaswa, P.S.- Ghorashan, District- East Champaran
 10. Bir Bahadur Mahato S/o Late Jamun Mahato Resident of Village- Sripur Kaswa, P.S.- Ghorashan, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anang Mohan Sinha, Advocate.
For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-05-2024 Heard Mr. Anang Mohan Sinha, learned counsel

 appearing on behalf of the petitioners and Mr. Kumar Veerendra

 Narayan, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection



with Ghorasahan P.S. Case No. 676 of 2023 registered for the offence punishable under Sections 147, 148, 341, 323, 379, 308, 504 and 506 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., all the accused persons named therein including the petitioners with a common intention to kill the informant assaulted him. Specific allegation is against petitioner no.1 who had assaulted the informant by means of iron rod causing injury on his head with an intention to kill him.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the case. In course of fierce fight, both the sides sustained injury. There is case and counter case between the parties. Petitioner no.1 is said to have assaulted on the head of the informant, but the injury sustained by him is simple in nature. Allegation against petitioner nos. 2 to 10 is general and omnibus.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. So far as petitioner nos. 2 to 10 are concerned, the allegation levelled against them is general and omnibus, they are directed to be released on pre-arrest bail, in the event of their



arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Sikrahna at Dhaka, East Champaran in connection with Ghorasahan P.S. Case No. 676 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. So far as petitioner no.1 is concerned, the District Court is directed to peruse the case diary and the injury report and if it is found that the injury is simple in nature, then in that case, the petitioner no.1 be also released on pre-arrest bail in terms of the conditions imposed in Para-6 of the present bail application.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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