

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
A. B. A. No. 2855 of 2020**

1. Kailash Mahto
 2. Ramesh Mahto
 3. Baij Nath Mahto
 4. Panu Mahto
 5. Govind Mahto
 6. Kashi Nath Mahto
- **Petitioners**

Versus

The State of Jharkhand **Opp. Party**

CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA

For the Petitioners :Mr. Shailesh, Advocate
For the State :Ms. Lily Sahay, A.P.P

03/Dated: 09.09.2020

1. The petitioners are apprehending their arrest in connection with Govindpur P.S. Case No.85 of 2020 registered under Sections 147/148/149/323/325/307/504/506/379 of the Indian Penal Code, pending in the court of Judicial Magistrate, 1st Class, Dhanbad.

2. Learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the instant case which is a counter blast to Govindpur P.S. Case No.84 of 2020 lodged by the petitioner's party. It is submitted that a member of the petitioner's party had died in the brickbat between the parties. It is argued that injury sustained by the informant party does not constitute the offence under Section 307 of the Indian Penal Code.

3. Learned A.P.P submits that perusal of the injury report is necessary, for appreciation of the argument of the learned counsel, that the injury sustained by the informant's party does not constitute the offence under Section 307 of the Indian Penal Code, and prays for time to procure the case diary and the injury report.

4. Heard. Learned A.P.P shall procure the case diary along with the injury report and is at liberty to file the counter affidavit. In the meantime office to call for the neatly typed copy of the case diary and the injury report and list the application on **06.10.2020**.

5. Till that date no coercive steps shall be taken against the petitioners in connection with Govindpur P.S. Case No.85 of 2020, pending in the court of Judicial Magistrate, 1st Class, Dhanbad.

(AMITAV K. GUPTA, J.)