

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43933 of 2015

Arising Out of PS.Case No. -62 Year- 2015 Thana -SIDHWALIA District- GOPALGANJ

1. Tuntun Mahto
2. Dhruv Mahto, Both son of Late Suraj Mahto
3. Kunti Devi, W/o Dhruv Mahto
4. Dilip Mahto, S/o Dhruv Mahto, all residence of village- Barahima, P.S. Sidhwalia, Distt.- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad
For the Opposite Party/s : Mr. L.K.Sharma(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 14-10-2015 Heard counsel for the petitioners and APP for the State.

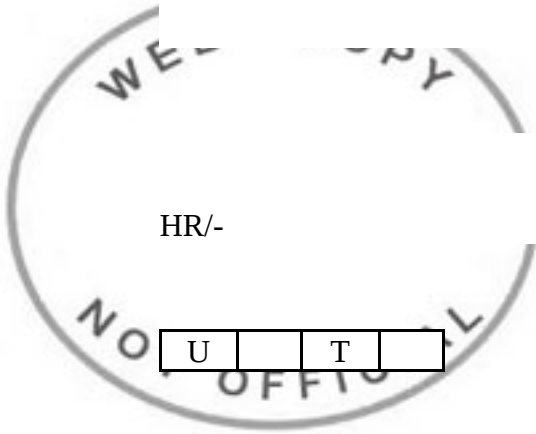
The four petitioners herein belong to one family whereas the informant is said to be the agnate of the petitioners. They seek anticipatory bail in Sidhwalia P.S. Case No. 62 of 2015 registered under section 307/34 IPC. While the father of the informant was going home, it is alleged that the accused persons intercepted him and tried to assault. On alarm, the informant followed by his daughter and mother arrived at the place of occurrence. Accused Tuntun Mahto is said to have assaulted the daughter of the informant. There is

further allegation that the father of the informant and the informant himself were assaulted by means of a sharp-cutting weapon, Lathi and Danda.

It has been submitted that there is a long-drawn dispute between the parties inasmuch as in 2013 an FIR was lodged against the present prosecution side. So far as the present occurrence is concerned, there is a counter version in the shape of an FIR lodged by petitioner no.3 Kunti Devi (Annexure-3) wherein the informant and his other family members had assaulted the son of Kunti Devi. Referring to injury report, it has been submitted that they are not grievous in nature. It has also been submitted that the allegation of assault is attributed to Tuntun Mahto.

In the facts and circumstances of the case let the petitioners above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction Sri Ashish Mishra 1st Class Judicial Magistrate, Gopalaganj in Sidhwalia P.S. Case No. 62 of 2015 on condition that one of the bailors shall be their own/close family members. In the event of framing of charge, they shall appear in person on each date fixed at the

trial. In case of default in doing so on two consecutive dates,
the trial court shall have liberty to cancel their bail bonds.



(Kishore Kumar Mandal, J)