

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41400 of 2016**

Arising Out of PS.Case No. -99 Year- 2016 Thana -MANIGACHI District- DARBHANGA

- =====
1. Bhola Mahto son of Bihari Mahto
  2. Pavitri Devi wife of Bihari Mahto
  3. Buchhi Dai Devi Wife of Laxshmi Mahto
  4. Punita Devi Wife of Bhola Mahto All Resident of Village--Katthra,  
Police Station Manigachhi, District Darbhaga

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Gajendra Kumar Jha, Advocate.  
For the Opposite Party : Ms. Sangeeta Sharma, APP.

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

2      19-11-2016      Learned counsel for the petitioners is permitted to  
correct the name of petitioner no. 3 Buchhi Dai Devi.

Heard both sides.

The petitioners apprehend their arrest in Manigachhi  
P.S. Case No. 99 of 2016 registered for the offences punishable  
under Sections 354(B), 379, 385 and other Sections of the Indian  
Penal Code.

The informant, Sunita Devi alleged that Laxshmi Mahto  
and Bhola Mahto, petitioner no. 1, entered into her house hurled  
abusive language and torn her clothes but the informant assaulted  
them. On such, the accused persons put her down on the ground  
and assaulted her with iron rod and stick causing fracture injury on

her both hands. Bihari Mahto, Parvati Devi, Buchhi Dai Devi, Punita Devi and Lal Dai Kumari are alleged to have come later on and alleged to have assaulted the informant and took away different ornaments from her house.

Learned counsel for the petitioners submits that in the year 2015, Sunita Devi filed Manigachhi P.S. Case No. 232 of 2015 against the petitioner Bhola Mahto and others in which the petitioner Bhola Mahto has been granted anticipatory bail. Ramashish Mahto, cousin of the petitioner Bhola Mahto, filed Manigachhi P.S. Case No. 233 of 2015 against Sunita Devi and her family members. The petitioners are next door neighbour of the informant. There is admitted land dispute between both the sides and the informant got one lacerated wound on her right forearm. The injury is opined to be simple in nature, although the informant alleged that she was indiscriminately assaulted which caused fracture injury on her both hands.

Considering the facts aforesaid and the fact that there is land dispute between the parties and the informant got simple injuries, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to 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 Sub-Divisional Judicial Magistrate, Darbhanga in Manigachhi P.S. Case No. 99 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J.)**

KKSINHA/-

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