

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73490 of 2018

Arising Out of PS. Case No.-105 Year-2018 Thana- KUNDWACHAINPUR District- East
Champanan

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1. Sarvjit Mahto @ Sarbajit Mahto S/o Chullai Mahto
 2. Satrudhan Mahto @ Shatrughan Mahto S/o Jung Bahadur Mahto
 3. Jai Kishan Mahto @ Jai Kishun Mahto S/o Jung Bahadur Mahto
 4. Jang Bahadur Mahto S/o Late Tilai Mahto
 5. Pachiya Devi @ Panchiya Devi W/o Jung Bahadur Mahto All are Resident of
Village-Basatpur @ Basantpur,P.O.+P.S.-Kundwa Chainpur,Distt.-East
Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anang Mohan Sinha
For the Opposite Party/s : Mr.Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 354, 354B, 504 and 506/34 of the Indian Penal Code.

The prosecution case as per the written report of
Tetari Devi submitted to the Station House Officer of
Ghorasahan Police Station is to the effect that on 12.07.2018 at
8.00 P.M. all the accused persons came and began assaulting the
informant and when the petitioner no. 1 Sarvjit Mahto to
exhorted kill the informant, petitioner no. 2 Satrudhan Mahto



assaulted on the head of the informant with Farsa and when the informant raised alarm then the son of the informant came, who was also assaulted.

It is submitted by learned counsel for the petitioners that in the background of dispute over passage, the accusation has been levelled and for the occurrence of 12.07.2019, the FIR has been registered on 17.07.2018. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the delayed lodging of the FIR and the accusation of assault not being specific against the petitioners, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sikarhana at Dhaka, East Champaran in connection with Kundwachainpur P.S. Case No.



105 of 2018, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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