

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33205 of 2018

Arising Out of PS.Case No. -137 Year- 2017 Thana -
RUNISAIDPUR District- SITAMARHI

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1. Santosh Mahto @ Santosh Kumar Son of Lalu Mahto
2. Gita Devi Wife of Lalu Mahto
3. Rania Devi D/o Lalu Mahto All are residents of Village -
Balua Gausnagar, Police Station - Runnisaidpur, District -
Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Sri Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-07-2018 The petitioners seek bail in anticipation of their arrest in connection with Runnisaidpur P.S. Case No. 137 of 2017 dated 31.03.2017 instituted for the offences under Sections 341, 323, 504, 308, 448, 379, 34 of the Indian Penal Code.

The petitioner No. 1 is alleged to have been armed with *Dabia*, a sharp cutting weapon whereas petitioner Nos. 2 and 3 are said to have been wielding hard and blunt substances. The wife of the informant was abused and ill treated and when the informant/husband went to her rescue, he was assaulted by petitioner No. 1 by means of *Dabia* and thereafter petitioner Nos. 2 and 3 also assaulted the informant and his wife by means of lathi/hard blunt



substance. The cause of occurrence, as narrated in the F.I.R, is that sometimes prior to the occurrence, a land was measured and it was found that some part of the land belonging to the petitioners was shown in the stock of land of the informant. This had caused annoyance to the informant who had blatantly declared that he shall not accept the measurement made by the Amin. Thereafter, the occurrence is stated to have been taken place.

The learned counsel for the petitioners has submitted that there is a counter version of the occurrence as well which has been lodged by the petitioner No. 1 vide Runnisaidpur P.S. Case No. 131 of 2017, which too has been instituted for the offences under Sections 307, 379 and other Sections of the Indian Penal Code.

From the impugned order, it appears that the injuries suffered by the informant and his wife are simple in nature. The petitioners are co-villagers and next door neighbours as well.

Regard being had to the aforesaid facts, the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaipur P.S. Case No. 137 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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