

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18388 of 2019

Arising Out of PS. Case No.-190 Year-2018 Thana- ISUAPUR District- Saran

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1. ABHINA MAHTO @ ABHINAV MAHTO Son of Bablu Mahto @ Anuj Mahto R/o Village- Shyampur, P.S.- Isuapaur, District- Saran
 2. Sujeet Mahto Son of Bablu Mahto @ Anuj Mahto R/o Village- Shyampur, P.S.- Isuapaur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-03-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Isuapur P.S. Case No. 190 of 2018 for the offence under Sections 341, 323, 324, 37, 307 and 504/34 of the Indian Penal Code.

Allegedly, when the informant's husband and son were returning to their home in the evening at about 8 PM, the petitioners and their father assaulted them. It is alleged that the petitioners assaulted the informant's husband with iron rod, *farsa* and knife causing serious injury. They are said to have taken away certain valuables also.

Learned counsel appearing on behalf of the petitioners has submitted that for the same occurrence, a counter



case has been registered by way of complaint petition filed by the mother of the petitioners.

Learned counsel appearing on behalf of the petitioners has drawn my attention to Annexure-3, which is the injury report to submit that the injury on informant's husband has been found to be simple in nature and one injury, in respect of which opinion has been reserved, is only skin deep. According to him there is no chance of the petitioners absconding from the course of investigation or trial. The petitioners have no criminal antecedent as stated in paragraph 3 of the application.

Considering the above submission, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Saran, Chapra in Isuapur P.S. Case No. 190 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners



shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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