

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.32754 of 2019**

Arising Out of PS. Case No.-348 Year-2018 Thana- BAIRIYA District- West Champaran

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1. PANNO DEVI Wife of Indal Mahto @ Indr Mahto Kushwaha Resident of Village - Pakhnahan Bazar Jagirahan, P.S.- Bairiya, District - West Champaran
2. Indal Mahto @ Indr Mahto Kushwaha Son of Late Sitaram Mahto Resident of Village - Pakhnahan Bazar Jagirahan, P.S.- Bairiya, District - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar No 7

For the Opposite Party/s : Mr. Murli Dhar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

2      17-05-2019                      Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered under Sections 341, 323, 307, 354, 379 and 504/34 of the Indian Penal Code.

Over the quarrel between the children, petitioner Panno Devi is said to have assaulted on the head of the informant by means of garasa while Indal Mahto assaulted on the back of his head by means of knife.



It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners happen to be pattidar of the informant and there is dispute of partition between them. Due to the aforesaid dispute, petitioners have been falsely implicated in the case by the informant. Informant is said to have sustained injury in the morning of 16.09.2018 and he was rushed to the hospital immediately after the occurrence but injury report indicates that he was examined after two days i.e. on 18.09.2018 at 12 PM and moreover doctor has found only one old abrasion on his right eyebrow and one old lacerated wound on the head both caused by hard and blunt substance and simple in nature. Thus the injury report does not corroborate the prosecution case. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 A.C.J.M.-VII, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 348 of 2018, subject to the condition as laid down under



Section 438 (2) of the Cr.P.C.

**(Prakash Chandra Jaiswal, J)**

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