

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33335 of 2019

Arising Out of PS. Case No.-209 Year-2018 Thana- PATAHI District- East Champaran

1. Nirmala Devi (female), aged about 25 years, Wife of Mukesh Mahto, Resident of Village - Devapur, P.S.- Palahi, Distt - East Champaran.
2. Ramji Mahto (male), aged about 65 years, Son of Late Pradeep Mahto, Resident of Village - Devapur, P.S.- Palahi, Distt - East Champaran.
3. Mahadevi (female), aged about 60 years, Wife of Ramji Mahto, Resident of Village - Devapur, P.S.- Palahi, Distt - East Champaran.
4. Rakesh Mahto (male), aged about 20 years, Son of Ramji Mahto, Resident of Village - Devapur, P.S.- Palahi, Distt - East Champaran.
5. Mukesh Mahto (male), aged about 28 years, Son of Ramji Mahto Resident of Village - Devapur, P.S.- Palahi, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Patahi P.S. Case No. 209 of 2018 registered under sections 341, 323, 307, 435, 447, 34 of the IPC.

The allegation against the petitioners, as per the first information report, is that the petitioners along with other accused persons assaulted the father of informant by means of lathi, danda and iron rod, due to which he received the cut injury



on his nose.

Mr. Ansul, learned counsel appearing for the petitioners submits that both the parties are neighbours and co-villagers. Learned counsel further submits that incident has taken place on a trivial issue of burning crackers in front of the house of the informant. Learned counsel further submits that no specific allegation of assault is there in the first information report and the allegation against the petitioners is general and omnibus in nature. Learned counsel further submits that injury report has been obtained from the private hospital and not from any Government or Sadar hospital. Learned counsel further submits that injury has not been caused on the vital part of the body of the informant.

Having regard the submissions made by the parties and taking into consideration the fact that both the parties are neighbours and dispute took place between them on a trivial issue, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon 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 8th, Motihari in connection with Patahi Pachpakri O.P. P.S. Case No. 209 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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