

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36096 of 2019

Arising Out of PS. Case No.-521 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

1. Anup Mahato, aged about 40 years, Gender-Male, Son of Late Julum Mahato,
2. Dulari Devi, aged about 38 years, Gender-Female, Wife of Anup Mahato, Both Residents of Village Thuma, P.S.- Runi Saidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-08-2019 Learned counsel for the petitioners has filed a supplementary affidavit, let it be kept on record.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioner are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307/34 of the Indian Penal Code.

As per FIR, a written report to the alleged occurrence has been filed by the informant namely Gagan Mahto before the SHO of Runnisaidpur P.S. in which it has been alleged that on 10.09.2018 while the informant was at his house, the accused persons including the petitioners armed with Tenguri, lathi,



danda came and accused Anup Mahto gave a lathi blow ton the informant. Accused Munna Mahto assaulted by means of Tenguri on head of the informant causing bleeding injury. When the daughter and wife of the informant came to save the informant, accused Bajrangi Mahto and Mukesh Mahto assaulted them. The accused persons also took away house hold articles from the house of the informant.

The learned counsel for the petitioners has submitted that there is specific allegation against Munna Mahato who gave axe blow on the informant on his head which he sustained injury and blood started oozing. There is no specific allegation against the petitioner nos. 1 and 2.

The learned counsel for the petitioners has further submitted that there have no criminal antecedent. The petitioners are innocent and they have falsely been implicated by the informant due to ill motive. There is case and counter case. As per injury report, injuries were found simple in nature, superficial.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory



bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Runisaidpur P.S. Case No. 521 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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