

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58621 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- SIDHWALIYA District- Gopalganj

1. Sandeep Mahto, S/o Harendra Mahto, R/o village- Hasanpur Gola (Hasanpur Naya Tola), P.S.- Sidhwaliya, District- Gopalganj
2. Sachin Mahto, S/o Rajendra Mahto, R/o village- Hasanpur Gola (Hasanpur Naya Tola), P.S.- Sidhwaliya, District- Gopalganj
3. Brij Kishore Mahto, S/o Magru Mahto, R/o village- Hasanpur Gola (Hasanpur Naya Tola), P.S.- Sidhwaliya, District- Gopalganj
4. Babunand Mahto, S/o Magru Mahto, R/o village- Hasanpur Gola (Hasanpur Naya Tola), P.S.- Sidhwaliya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-09-2019 This is an application for grant of anticipatory bail in connection with Sidhwaliya P.S. Case No. 81 of 2019 disclosing offences under Sections 147, 149, 341, 323, 324, 307, 379, 427, 447, 504 and 506 of the Indian Penal Code.

Prosecution case is that petitioners and others while coming to the market, petitioner no.1 repeatedly assaulted by knife on the head of the informant, causing injuries and there is general allegation against other petitioners of assault to the informant and others.

Submission of the learned counsel for the petitioners



is that the injury report of the informant shows that injuries are simple in nature so far other injuries are concerned, no specific allegation has been attributed against any of the petitioners. Moreover, there is case and counter case between the parties.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail of the petitioner on the ground that there is allegation against petitioner no.1 of repeatedly assault by knife to the informant and there are two sharp cutting injuries found on the person of the informant.

Having heard both sides, considering the above submissions, as stated above, so far as petitioner no.1 is concerned, I am not inclined to grant privilege of anticipatory bail to him.

So far as, petitioners no.2 to 4 are concerned, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gopalganj, in connection with Sidhwaliya P.S. Case No. 81 of 2019 , subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.



With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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