

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77387 of 2019

Arising Out of PS. Case No.-349 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

1. INARMAN MAHTO Son of Laxuman Mahto Resident of Village- Harnath Kundi, P.S.- Udwant Nagar, District- Bhojpur, Ara.
2. Wakil Mahto Son of Inarman Mahto Resident of Village- Harnath Kundi, P.S.- Udwant Nagar, District- Bhojpur, Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-12-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Udwant Nagar P.S. Case No. 349 of 2019, disclosing the offence under Section 307 and other allied Sections of the Indian Penal Code.

It transpires from the First Information Report that over a petty dispute between the parties, an altercation and scuffle had taken place. It is alleged against petitioner no. 2 that he assaulted the informant with an iron rod in his head causing injuries and petitioner no. 1 assaulted the informant's brother with *lathi*.

Learned counsel appearing on behalf of the petitioners has submitted that the injuries are simple in nature and no offence under Section 307 of the IPC can be said to be



made out on the basis of what has been alleged in the FIR. She has also submitted that the petitioners have no criminal antecedent and there is no chance of their fleeing away from the course of investigation or trial if they are allowed the privilege of anticipatory bail.

Considering the above submission and the nature of allegation, 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 bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned CJM, Bhojpur at Ara in Udwant Nagar P.S. Case No. 349 of 2019, subject to the condition 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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