

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4447 of 2020

Arising Out of PS. Case No.-516 Year-2019 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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1. Jugal Mahto, Son of Shyam Lal Mahto Resident of Village - Bijho, P.S. - Kawakol, District - Nawada.
 2. Birendra Mahto Son of Shyma Lal Mahto Resident of Village - Bijho, P.S. - Kawakol, District - Nawada.
 3. Shailendra Mahto @ Shalendra Mahto Son of Nand Kishor Mahto Resident of Village - Bijho, P.S. - Kawakol, District - Nawada.
 4. Balmiki Mahto Son of Nand Kishor Mahto Resident of Village - Bijho, P.S. - Kawakol, District - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anshu Devi, W/o Ajay Mahto R/o Village - Bijho, P.S. - Kawakol, Dist. - Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Birendra Kumar
For the Opposite Party/s :	Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 341 and 452 of the IPC.

The prosecution case, as per the complaint petition is to the effect that the petitioners came variously armed at the door of the complainant and started abusing the father-in-law of the



complainant, Shyamlal Mahto. It is specifically alleged that petitioner no.1, Jugal Mahto pointed a pistol on the temporal region of the father-in-law of the complainant and demanded extortion of Rs. 4 lacs and when her father-in-law made protest, petitioner nos. 1 and 2, Jugal Mahto and Birendra Mahto, respectively, assaulted him. It is further alleged that petitioner nos. 1 and 2 also caught hold of the hair lock of the complainant and started dragging and also made an attempt to outrage her modesty. Petitioner no.2, Birendra Mahto also assaulted the daughter of the complainant, Radhika with bricks causing fracture injury on her hand, whereas petitioner no.1 Jugal Mahto snatched a gold earring worth Rs. 32,000/- from the complainant.

It is submitted by learned counsel for the petitioners that no one has received any grievous injury. There is counter version of the occurrence also, being Kawakole P.S. Case No. 182 of 2019, lodged by petitioner no.1, against the complainant. It is further submitted that for the alleged occurrence of 03.05.2019, the complaint was filed on 22.05.2019. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that prima facie finding the



accusation true, cognizance has been taken against the petitioners.

Considering the delayed lodging of the case, there being counter version of the occurrence and no grievous injury being caused to anyone, coupled with the fact that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M., 1st Class, Nawada in connection with Complaint Case No. 516 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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