

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13389 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- TIKAPATTI District- Purnia

1. LALITA DEVI Wife of Bodhi Mahto @ Budhi Mahto @ Bodh Narayan Mahto and D/o Dhadibal Mahto Resident of Village- Goriar, P.S.- Tikapatti, District- Purnea.
2. Maheshwar Mahto @ Lovit Mahto Son of Late Lal Das Mahto Resident of Village- Goriar, P.S.- Tikapatti, District- Purnea.
3. Bodh Narain Mahto @ Budhi Mahto @ Boudhi Mahto Son of Suresh Mahto Resident of Village- Goriar, P.S.- Tikapatti, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

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

The petitioners are apprehending their arrest in a case
registered under Sections 448, 334, 323, 504, 506, 34 and
506/34 of the Indian Penal Code and ¾ of Dian Prohibition Act.

Allegedly, the accused persons having armed with weapon
came at the door of the informant and having called Dian,



started assaulting her.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. The date of occurrence is said to be 11-07-2019 but the FIR has been instituted on 19-07-2019. The delay in instituting the FIR has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of Sri Dibya Prakash, learned Judicial Magistrate-Ist Class, Purnea in connection with Tikapatti P.S. Case No. 83 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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