

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17203 of 2020

Arising Out of PS. Case No.-386 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

1. FAGU MAHTO Son of Late Sohan Mahto Resident of Village - Amawan, Vijaipur, P.S.- Kuchaikote, District- Gopalganj
2. Chhatis Mahto Son of Fagu Mahto Resident of Village - Amawan, Vijaipur, P.S.- Kuchaikote, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-09-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

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

This is an application for grant of anticipatory bail in connection with Kuchaikote P.S. Case No. 386 of 2019 registered for the offence punishable under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.



The allegation is regarding the accused persons including the petitioners herein having arrived at the door of the informant and having assaulted the prosecution party. As far as the petitioner no. 2 is concerned, he is alleged to have inflicted a farsa below on the injured person resulting in him receiving grievous injury. The other accused persons including the petitioner no. 1 is also alleged to have assaulted the members of the prosecution party.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. It is further submitted that a general and omnibus allegation has been levelled as against the petitioners and moreover, the present case has been filed with oblique motives.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by



the learned counsel for the petitioners and taking into account the fact that the petitioners have been alleged to have assaulted the members of the prosecution party resulting in them being inflicted with serious injuries, I do not deem it fit and appropriate to at least grant the privilege of anticipatory bail to the petitioners herein, hence, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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