

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17052 of 2020**

Arising Out of PS. Case No.-149 Year-2019 Thana- PURAINI District- Madhepura

1. SANTOSH MAHTO S/o Dinesh Mahto Resident of Village-Karama, P.S-Puraini, District-Madhepura.
2. Pankaj Mahto S/o Dinesh Mahto Resident of Village-Karama, P.S-Puraini, District-Madhepura.
3. Suresh Mahto S/o Jagan Mahto Resident of Village-Karama, P.S-Puraini, District-Madhepura.
4. Jagan Mahto S/o Late Dhanraj Mahto Resident of Village-Karama, P.S-Puraini, District-Madhepura.
5. Sima Devi @ Sima Kumari W/o Santosh Mahto Resident of Village-Karama, P.S-Puraini, District-Madhepura.
6. Putul Devi @ Putalia Devi W/o Suresh Mahto Resident of Village-Karama, P.S-Puraini, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pawan Kumar, Adv.

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      10-09-2020      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 Ms. Anita Kumari Singh, the learned APP for the State.

This is an application for grant of anticipatory



bail in connection with Puraini P.S. Case No. 149 of 2019 registered for the offence punishable under Sections 341, 323, 325, 307, 379, 354, 504 and 34 of the Indian Penal Code.

The allegation is regarding the petitioners having started construction of brick wall on the khatiyani Sikami land of the informant, whereupon the wife of the informant had objected to the same and then, the petitioners are stated to have assaulted the wife of the informant resulting in her sustaining some injuries.

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 the injuries sustained by the wife of the informant are not serious in nature and a general and omnibus allegation has been levelled against the petitioners herein.

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 a general and omnibus allegation of assault has been levelled as against the petitioners herein, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Uda-Kishunganj, District-Madhepura in connection with Puraini P.S.Case No. 149 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

Ajay/-

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