

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24879 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- BARGAINIA District- Sitamarhi

1. DASAI MAHTO Son of Dhanpat Mahto Resident of Village- Sinduria, P.S.- Bairgania, District- Sitamarhi.
2. Sudish Mahto Son of Dhanpat Mahto Resident of Village- Sinduria, P.S.- Bairgania, District- Sitamarhi.
3. Surendra @ Puran Mahto @ Harendra Kumar Son of Dhanpat Mahto Resident of Village- Sinduria, P.S.- Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-10-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor representing the State, through Video Conferencing.

The petitioners apprehend their arrest in connection with Bairgania Police Station Case No. 28 of 2020, registered for the offences punishable under Sections 341/323/307/505/506/34 of the Indian Penal Code.

The allegation against petitioner nos. 1 and 3 is that they assaulted the informant by means of farsha on his head and there is no specific allegation against petitioner no. 2

Learned Counsel for the petitioners submits that both



the parties are close door neighbour and there is case and counter case between the parties inasmuch as for the occurrence which has taken place on the same date and time, Bairgania Police Station Case No. 27 of 2020 has been lodged by the wife of co-accused Dhanpal Mahto. He, referring to paragraph 7 of this application, submits that the injuries caused to the informant have been found to be simple in nature.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that both the parties are close door neighbour, there is case and counter case between the parties and the injuries have been found to be simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is allowed.

Accordingly, let the petitioners, above named, be released on bail, in the event of their arrest or surrender before the Court below within a period of six weeks from today, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Bairgania Police Station Case No. 28 of 2020.

It is made clear that at the time of furnishing bail



bonds, all the parties shall follow the guidelines regarding social distancing.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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