

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30393 of 2020

Arising Out of PS. Case No.-132 Year-2019 Thana- NAYAGAON District- Saran

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1. Jeeyalal Mahto @ Jiyalal Mahto, aged about 32 years, male, S/o Bhuneshwar Mahto.
 2. Subash Mahto, aged about 20 years, male, S/o Bhuneshwar Mahto.
 3. Bhuneshwar Mahto, aged about 60 years, male, S/o Late Saryug Mahto.
 4. Sugiya Devi, aged about 55 years, female, W/o Bhuneshwar Mahto.
 5. Lilawati Devi, aged about 25 years, female, D/o Bhuneshwar Mahto.
 6. Bharat Mahto, aged about 21 years, male, S/o Ram Kishore Mahto.

All are resident of Village-Sitabganj, P.S.-Nayagaon, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 18-12-2020 Heard Mr. Jeetendra Narayan, learned counsel for the petitioners and Md. Aslam Ansari, learned APP for the State.

Learned counsel for the petitioners seeks permission to withdraw this application with respect to



petitioner No. 1, viz., Jeeyalal Mahto @ Jiyalal Mahto, who has been arrested.

Permission is accorded.

The present application with respect to petitioner No. 1 is dismissed as withdrawn.

Petitioner Nos. 2 to 6 seek bail in anticipation of their arrest in connection with Nayagaon P.S. Case No. 132 of 2019, dated 04.09.2019, instituted for the offences under Sections 341, 323, 324, 325, 379, 307, 504 and 506/34 of the Indian Penal Code.

It has been alleged that the informant and her brother were assaulted by the petitioners, who were being led by petitioner No. 1/Jeeyalal Mahto @ Jiyalal Mahto, whose anticipatory bail application has been withdrawn. It has been submitted on behalf of the petitioners that nothing specific has been alleged against petitioner Nos. 2 to 6. In fact, petitioner No. 1 has received serious injuries in the assault which had taken place between the parties. The injuries suffered by the prosecution side are stated to be simple in nature.



Apart from above, it has been urged that the parties have settled their disputes and do not want to prosecute each other, though, no such document has been brought on record reflecting any compounding of dispute between the parties.

Nonetheless, regard being had to the background facts and the nature of accusation against petitioner Nos. 2 to 6 above-named, they, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 6th Addl. Chief Judicial Magistrate, Saran at Chapra, in connection with Nayagaon P.S. Case No. 132 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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