

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4873 of 2020

Arising Out of PS. Case No.-579 Year-2019 Thana- SARAIYA District- Muzaffarpur

1. Parohan Mahto Son of Bindeshwar Mahto Resident of Village - Rupauli, P.S.- Saraiya, District - Muzaffarpur
2. Mithlesh Mahto @ Mithlesh Kumar Son of Bindeshwar Mahto Resident of Village - Rupauli, P.S.- Saraiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 5461 of 2020

Arising Out of PS. Case No.-579 Year-2019 Thana- SARAIYA District- Muzaffarpur

1. Bindeshwar Mahto Son of Late Punit Mahto Resident of Village - Rupauli, P.S.- Saraiya, District - Muzaffarpur
2. Manoj Mahto Son of Bindeshwar Mahto Resident of Village - Rupauli, P.S.- Saraiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 4873 of 2020)

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

(In CRIMINAL MISCELLANEOUS No. 5461 of 2020)

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 26-10-2021 Both the aforesaid Criminal Miscelleaneous

applications arise out of the Saraiya P.S. Case No. 579 of 2019

registered under Sections 341, 323, 307, 379 and 504/34 of the

Indian Penal Code. Therefore, both the aforesaid applications



have been heard together and are being disposed off by this common order.

Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

The facts of the case, as argued by the learned counsel for the petitioners are as under:

On the basis of written report of the informant before the S.H.O., Saraiya P.S., District- Muzaffarpur on 03.09.2019 that on 02.09.2019 at about 04.00 pm his son Krashnandan Kumar Bhagat had gone to the house of the Bindeshwar Mahto for demanding the fare of cultivating the land upon which Bindeshwar Mahto along with the petitioners of Cr. Misc. No. 4873 of 2020 and other accused persons started assaulting the son of the informant. It has further been alleged that Parohan Mahto petitioner no. 1 inflicted blow of the pistol on him and other accused persons inflicted injury by means of *lathi-danda* in front of the villagers. It has further been alleged that the accused persons snatched Rs. 5000/- from the pocket of the informant and also snatched Rs. 3,250 from the pocket of the victim. Thereafter, the victim was taken to PMCH, Patna in serious condition.

Considering the facts and circumstances of the case,



let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of four weeks from today. Each petitioner shall execute a personal bond of Rs. 50,000/- (rupees fifty thousand) and on furnishing of bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, West, Muzaffarpur in connection with Saraiya P.S. Case No. 579 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

Niraj/-

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