

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26227 of 2021

Arising Out of PS. Case No.-204 Year-2020 Thana- AMNAUR District- Saran

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1. PANCHAI MAHTO @ PACHIE MAHTO SON OF LATE MATHURA MAHTO R/O VILLAGE- APAHAR, P.S.- AMANOUR, DISTRICT-SARAN
 2. ARATI DEVI @ ARTEE DEVI W/O AJIT PRASAD @ AJIT MAHTO R/O VILLAGE- APAHAR, P.S.- AMANOUR, DISTRICT-SARAN
 3. ASHA DEVI W/O PANCHAI MAHTO @ PACHIE MAHTO R/O VILLAGE- APAHAR, P.S.- AMANOUR, DISTRICT-SARAN

... .. Petitioners.

Versus

THE STAET OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 & 506/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. Both the



parties own Gotiya. There is admitted land dispute between the parties. There was a free fight and both parties sustained injury . There is case and counter case between the parties. The allegation levelled against the petitioners is not specific rather general and omnibus in nature, except against petitioner no.1. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner nos.2 & 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Amanour P.S. Case No.204 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

As there is specific allegation against petitioner no.1, I am not inclined to enlarge petitioner no.1 on anticipatory bail. The prayer for anticipatory bail of petitioner no.1 is hereby rejected.

(Anjani Kumar Sharan, J)

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