

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35296 of 2020

Arising Out of PS. Case No.-270 Year-2020 Thana- PAROO District- Muzaffarpur

1. Ram Naresh Mahto @ Naresh Mahto son of Jagarnath Mahto Resident of Village- Chhap, P.S.- Paroo, District- Muzaffarpur.
2. Ashok Kumar@ AshokMahto son of Jagarnath Mahto Resident of Village- Chhap, P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 447, 307, 379, 427, 34 of the Indian Penal Code and $\frac{3}{4}$ of Witch Craft Act (Dian Act).

Allegedly, all the accused persons having armed with Lathi, Danda and Farsa came at the door of the informant and started to abuse. It is further alleged that petitioner No. 2 gave lathi blow to the informant. Rs. 500/- is also alleged to have been snatched away.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, cum-Sub Judge (West), Muzaffarpur in connection with Paroo P.S. Case No. 270 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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