

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1936 of 2021

Arising Out of PS. Case No.-83 Year-2020 Thana- GORIAKOTHI District- Siwan

1. PRABHAWATI DEVI W/O NARAYAN MAHTO RESIDENT OF VILLAGE BINDWAL, P.S.-GOREAKOTHI, DISTRICT-SIWAN.
2. NARAYAN MAHTO S/O LATE DURGA MAHTO RESIDENT OF VILLAGE BINDWAL, P.S.-GOREAKOTHI, DISTRICT-SIWAN.
3. BIRENDRA MAHTO S/O NARAYAN MAHTO RESIDENT OF VILLAGE BINDWAL, P.S.-GOREAKOTHI, DISTRICT-SIWAN.
4. KRISHNA MAHTO S/O NARAYAN MAHTO RESIDENT OF VILLAGE BINDWAL, P.S.-GOREAKOTHI, DISTRICT-SIWAN.
5. BABITA DEVI @ RAJANTI DEVI W/O KRISHNA MAHTO RESIDENT OF VILLAGE BINDWAL, P.S.-GOREAKOTHI, DISTRICT-SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2021 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 after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 325, 307, 504/34 of the Indian Penal Code.

Allegation against the accused persons is of abusing and



assaulting the informant's wife. On protest made by the informant, he was also assaulted. The other accused persons allegedly pressed the neck of informant's wife, as a result of which, the informant's wife sustained bone fracture injury.

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. The petitioner Nos. 1 & 5 are ladies. The nature of injury is said to be simple. Hence, no offence u/S 307 of the Indian Penal Code is made out. The case has been instituted after four days of the alleged occurrence.

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 and also the lockdown, let the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Siwan in connection with Goriyakothi P.S. Case No. 83 of 2020 subject to the conditions as laid down under Section 438(2) of the Code



of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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