

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1159 of 2021

Arising Out of PS. Case No.-262 Year-2020 Thana- MUFFASIL District- West Champaran

1. DEENANATH MAHTO S/o Late Gorakh Mahto Resident of Pandey Tola, P.S.- Muffasil, Bettiah, District- West Champaran
2. NARESH MAHTO S/o Deenanath Mahto Resident of Pandey Tola, P.S.- Muffasil, Bettiah, District- West Champaran
3. BIPIN MAHTO S/o Neenanath Mahto Resident of Pandey Tola, P.S.- Muffasil, Bettiah, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey- Advocate
For the Opposite Party/s : Ms. Asha Devi- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-09-2021 Heard Mr. Bimlesh Kumar Pandey, the learned Advocate for the petitioners and Ms. Asha Devi, the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Bettiah Mufassil P. S. Case No.262 of 2020, instituted for the offences under Sections 448, 341, 323, 324, 325, 354(B), 307, 504, 506, 379/ 34 of the Indian Penal Code.

Though the accusation in the F.I.R. is of the petitioners assaulting the members of the prosecution party but the accusation, according to the learned Advocate for the petitioners, is false. There is counter-version of the occurrence.



There is a pending civil dispute and precisely for that reason, the aforesaid accusation has been levelled. There is no reference of any injury on any one of the persons in the order impugned.

For this purpose, case diary was called for.

From the perusal of the case diary, it appears that though two of the persons have been injured but the injury is not found on any vital portion of the body. It appears that there was a dispute between the two set of villagers and there does not appear to be any intention of causing any grievous injury to any one of the victims.

Considering the aforesaid facts, the provisional bail granted to the petitioners by order dated 11.08.2021 is hereby confirmed. The petitioners shall remain on the same bail bonds.

The application stands allowed.

(Ashutosh Kumar, J)

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