

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5176 of 2021

Arising Out of PS. Case No.-58 Year-2020 Thana- MAJORGANJ District- Sitamarhi

1. MAHENDRA MAHATO Son of LATE SUKHLAL MAHTO Resident of Village - Garhwa Bishunpur @ Gadhwa Vishanpur, P.S. - Majorganj, District - Sitamarhi.
2. RAVINDRA MAHATO @ RAVINDAR MAHTO Son of MAHENDRA MAHTO Resident of Village - Garhwa Bishunpur @ Gadhwa Vishanpur, P.S. - Majorganj, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr. N. N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-08-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks after restoration of normalcy.

Learned counsel for the petitioners submits that father's name of petitioner no. 1 has inadvertently been typed in the petition as 'Late Sukul Mahto' in place of 'Late Sukhlal Mahto' which is correctly mentioned in the Vakalatnama.

Office is directed to correct the father's name of petitioner no. 1 in the cause title.

The petitioners are apprehending their arrest in a case



registered under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons assaulted the informant and family members due to which they sustained injuries.

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 falsely been implicated in the present case. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side 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 F.I.R.

Considering the aforesaid facts and circumstances, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned A.C.J.M. -1st Sitamarhi in connection with Majorganj P.S. Case No. 58/2020, 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) each 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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