

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8359 of 2021

Arising Out of PS. Case No.-176 Year-2019 Thana- MAHUA District- Vaishali

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1. Nageshwar Mahto S/o Late Shiv Mangal Mahto R/o Village- Bhagwatpur Taraura, P.S.- Mahua, Distt- Vaishali.
 2. RAJESH MAHTO S/o Late Shiv Mangal Mahto R/o Village- Bhagwatpur Taraura, P.S.- Mahua, Distt- Vaishali.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RINKU DEVI D/o Vinod Mahto R/o Village and P.O.- Bhagwatpur Taraura, P.S.- Mahua, Distt- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Paswan
For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307 and 302/34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons assaulted the deceased with lathi and danda due to which he died..

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. The main allegation of assault is alleged against Mithilesh Mahto who is alleged to have gave bhala blow on the deceased. The post-mortem report also corroborates the allegations made against the co-accused Mithilesh Mahto. As far as petitioners are concerned, no fatal injury is attributed to them while the same is attributed against co-accused Mithilesh Mahto.

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

Considering the aforesaid facts and circumstances, let 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 176/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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