

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80122 of 2019

Arising Out of PS. Case No.-315 Year-2019 Thana- MAJHAULIA District- West Champaran

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1. RAJESH MAHTO (Male), aged about 32 years, son of Bipat Mahto.
 2. Mahendra Mahto (Male), aged about 38 years, son of Bipat Mahto.
 3. Birendra Mahto (Male), aged about 39 years, son of Bipat Mahto.
 4. Kiran Devi (Female), aged about 27 years, wife of Rajesh Mahto.
All resident of Village - Bhaluhi, Ward No. 13, P.S.- Majhauiliya,
Distt - West Champaran.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 02-02-2021 Heard learned counsel for the petitioners and
learned APP for the State.

Learned counsel for the petitioners submits that
petitioner no.1 namely, Rajesh Mahto, has already been arrested,
so he does not want to press this application on behalf of
petitioner no.1.

Accordingly, this bail application is rejected as
withdrawn on behalf of petitioner no.1 namely, Rajesh Mahto.

In this case, the petitioners are seeking anticipatory
bail in connection with Majhauiliya P.S. Case No.315 of 2019,
registered for the offence under Sections 341, 323, 324, 307,
379 and 354(B)/34 of the Indian Penal Code.

Both the parties are agnates. Allegation has been
made against the petitioners to have entered into the house of



the informant and petitioner no.1 inflicted *farsa* blow on the head of the informant. It has also been alleged that petitioner no.2 torn the cloth of the informant and petitioner no.3 snatched the golden chain of the informant. No allegation has been made against petitioner no.4.

Learned counsel for the petitioners submits that specific allegation has been made against the petitioner no.1 to have inflicted *farsa* blow on the head of the informant but, no specific allegation has been made against rest of the petitioners.

Looking to the nature of allegation, let the above-named petitioner nos. 2, 3 and 4, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, in connection with Majhauriya P.S. Case no.315 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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