

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2540 of 2022

Arising Out of PS. Case No.-748 Year-2020 Thana- SAHARSA SADAR District- Saharsa

1. SHASHI MAHTO Son of Late Buchan Mahto Resident of Village - Kahra, Ward No. 14, P.S. and Dist.- Saharsa.
2. Niraj Mahto @ Neeraj Kumar Son of Shashi Kumar Resident of Village - Kahra, Ward No. 14, P.S. and Dist.- Saharsa.
3. Sargam Mahto Son of Shashi Mahto Resident of Village - Kahra, Ward No. 14, P.S. and Dist.- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-07-2022 Heard learned counsel for the petitioners and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sadar P.S. Case no. 748 of 2020 instituted for the offence under Sections 341, 323, 308, 379, 354, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the FIR, all the three petitioners uttered filthy words to the informant and on protest, Niraj Mahto pulled her saree due to which she became naked. When her husband came there to rescue her wife, she was also beaten up by Niraj Mahto and Sargam Mahto by brick as a result of which injuries in his head and eye.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no



offence. They have got no criminal antecedent. There is case and counter case. Only with a view to save the skin from earlier case which was lodged by petitioner no. 3, the present case has been filed with false and concocted story. Members of both sides have received injuries. Petitioners are men of clean antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Sadar P.S. Case no. 748 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Saharsa subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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