

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14732 of 2022

Arising Out of PS. Case No.-65 Year-2021 Thana- KRITYANAND NAGAR District- Purnia

1. HARICHARAN MAHTO Son of Late Awad Mahto R/o Mohalla - Shrinagar, Ward No. - 11, Beldari Tola, P.S. - K. Nagar (Shirnagar), Distt.- Purnia (Bihar), Pin Code - 8543304
2. Raj Kumar Mahto Son of Harish Chandra Mahto R/o Mohalla - Shrinagar, Ward No. - 11, Beldari Tola, P.S. - K. Nagar (Shirnagar), Distt.- Purnia (Bihar), Pin Code - 8543304

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Adv
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 147, 148, 149, 447, 341, 323, 325, 307, 379, 504 and 506 of Indian Penal Code.

Allegedly, the petitioners alongwith other co-accused persons assaulted the informant's side by means of lathi.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The occurrence took place on 15.02.2021 and the F.I.R. was lodged on 19.02.2021 i.e. after a delay of four days without giving any plausible explanation which creates a serious doubt on the prosecution case. There is an admitted land dispute between the parties. The injuries are simple in nature. Petitioners have two criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is delay in lodging the F.I.R. and the injuries are simple in nature, let the above named petitioners be released on 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 bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/Successor Court in K. Nagar(Sri Nagar) P.S. Case
No.65 of 2021 subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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