

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23615 of 2022**

Arising Out of PS. Case No.-129 Year-2020 Thana- RAMGARHWA District- East  
Champaran

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1. RAMESH MAHTO Son of Late Sukhal Mahto Resident of Village - Murla, P.S.- Ramgarhwa, District - East Champaran.
  2. Akhilesh Mahto Son of Ramesh Mahto Resident of Village - Murla, P.S.- Ramgarhwa, District - East Champaran.
  3. Mithilesh Mahto Son of Ramesh Mahto Resident of Village - Murla, P.S.- Ramgarhwa, District - East Champaran.
  4. Chandan Mahto Son of Ramesh Mahto Resident of Village - Murla, P.S.- Ramgarhwa, District - East Champaran.
  5. Krishna Mahto Son of Ramesh Mahto Resident of Village - Murla, P.S.- Ramgarhwa, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Prateek Tandon, Adv  
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      25-08-2022      Heard the parties.

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, 504, 341, 323, 324, 307, 353, 447, 427, 379 of the IPC.

Allegedly, the petitioners assaulted the informant and his



wife by means of several weapons due to which they sustained injuries. The accused persons torn the clothes of the wife of the informant and snatched gold chain from her and damage the house articles.

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 enmity and grudge. 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. There is no specific overt act against the petitioners. The occurrence took place on 24.05.2020. and the F.I.R. was lodged on 07.06.2020 i.e. after a delay of 10 days, without giving any plausible explanation regarding the delay which creates a serious doubt about the prosecution case. He further submits that the injuries are simple in nature. Petitioner has no 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 a delay in lodging F.I.R. and the injuries are simple in nature, let the above named petitioner 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 Ramgarhwa P.S. Case No.129 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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