

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33795 of 2021

Arising Out of PS. Case No.-338 Year-2020 Thana- HUSSAINGANJ District- Siwan

1. Bajrangi Mahto Son Of Anawat Mahto R/O Village- Chapiyabujurg, P.S.- Hussainganj, Dist.- Siwan
2. Lalita Devi W/O Bajrangi Mahto R/O Village- Chapiyabujurg, P.S.- Hussainganj, Dist.- Siwan
3. Pawan Mahto @ Pawan Kumar Son Of Bajrangi Mahto R/O Village- Chapiyabujurg, P.S.- Hussainganj, Dist.- Siwan
4. Pankaj Kumar Son Of Bajrangi Mahto R/O Village- Chapiyabujurg, P.S.- Hussainganj, Dist.- Siwan
5. Rahul Kumar Son Of Kapil Mahto R/O Village- Chapiyabujurg, P.S.- Hussainganj, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-04-2022 At the very outset, learned counsel for the petitioners seeks permission to withdraw the petition of petitioner no.1, namely, Bajrangi Mahto, petitioner no.3, namely, Pawan Mahto @ Pawan Kumar, petitioner no.4, namely, Pankaj Kumar and petitioner no.5, namely, Rahul Kumar.

Permission is accorded.

Accordingly, the petition of petitioners no.1, 3, 4 and 5 is dismissed as withdrawn and they are directed to surrender before the court below and pray for regular bail.



Heard learned counsel for the petitioner no.2 and learned APP for the State.

The petitioner no.2 is apprehending her arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 324, 307, 308, 379, 504, 506 and 302 of the Indian Penal Code.

It is alleged in the FIR that all the accused persons and co-accused Kapil Mahto gave a kudal blow to Sohan Mahto as a result of which he sustained injury on his head and co-accused Ramnath Mahto assaulted Manan Mahto by rod and he became unconscious and fell down thereafter he died during course of treatment.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that petitioner no.2 being a lady and she has full liberty to be granted bail in anticipation of her arrest. Petitioner no.2 has clean antecedent.

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

In the facts and circumstances of the case, let the petitioner no.2, namely, Lalita Devi, in the event of her arrest or surrender before the court below within a period of four weeks



from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Siwan in connection with Hussainganj P.S. Case No. 338 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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