

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28601 of 2022

Arising Out of PS. Case No.-346 Year-2019 Thana- UDAKISHUNGANJ District-
Madhepura

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1. DAROGI MAHTO S/o- Late Rohin Mahto Resident of Village - Nemua, ward No. -07, P.S. - Udakishunganj, District - Madhepura.
 2. Gajendra Mahto @ Gajendra Kumar S/o- Darogi Mahto Resident of Village - Nemua, ward No. -07, P.S. - Udakishunganj, District - Madhepura.
 3. Babita Devi W/o- Ramanand Mahto Resident of Village - Nemua, ward No. -07, P.S. - Udakishunganj, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 325, 307, 379, 354 and 504 of the Indian Penal
Code.

Learned counsel for the petitioners submits that
petitioner no. 1 and 3 are persons with clean antecedent and
petitioner no. 2 has antecedent of one case.

The informant alleges that Ramanand Mahto assaulted



by an iron rod causing injury on the head of the informant, Sipahi Mahto assaulted the wife of the informant with an iron rod causing fracture of hand, Darogi Mahto assaulted Rampukar Mahto by Dabiya causing cut injury on the hand and head thereafter Sadanand Mahto assaulted Uma Devi by butt of pistol causing injury on her head, Shishupal Mahto and Gajendra Mahto assaulted with lathi causing fracture of hand of his brother's daughter-in-law and Gajendra Yadav further disrobed her. It is alleged that Babita Devi snatched golden chain and earring from Uma Devi.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that the injuries suffered by the injured is simple in nature. It is also submitted that one of the injuries suffered by the daughter-in-law of the brother of the informant is grievous but then the same is said to have been inflicted by Shishupal Mahto and Gajendra Mahto. It is next submitted that Shishupal Mahto has been granted anticipatory bail by order dated 29.11.2021 in Cr. Misc. No. 20505 of 2021, as such, the learned counsel for the petitioners seeks parity for petitioner no. 2.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 connection with Uda-Kishunganj P.S. Case No. 346 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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