

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51099 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- TISIAUTA District- Vaishali

1. Dharmendra Mahto @ Dharmendar Mahto S/O Raj Kumar Mahto R/O Village-Dabhait, Dabhaich, P.S-Tishiouta, District-Vaishali
2. Pintu Mahto S/O Raj Kumar Mahto R/O Village-Dabhait, Dabhaich, P.S-Tishiouta, District-Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh

For the Opposite Party/s : Ms. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-07-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 308, 325 and 379/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on account of dispute relating to land, the accused persons including the petitioners came and it is alleged that Dharmendra Mahto assaulted the informant by *Hasua* causing injury on her hand and thereafter, it is alleged that Pintu Mahto assaulted her with an iron rod causing fracture of the legs



and she fell down, accused persons kept assaulting her.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that there is a case and a counter-case. Admittedly, the petitioners and the informant are agnates. It is next submitted that from the side of the informant also, assault was made on the side of the petitioners leading to injuries as would be evident from Pages-23 and 24 of the anticipatory bail application. It is further submitted that the accused from the side of the informant have been granted anticipatory bail and it is next submitted that from perusal of the injury report of the informant (Annexure-3 to the bail application), it would manifest that she had suffered 11 injuries and out of 11 injuries, 10 injuries are simple in nature and injury no.11 is on right febula, which is said to be grievous. It is next submitted that the said injury is non-vital part of the body.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, are directed to be



released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Tishiouta P. S. Case No.55 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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