

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50094 of 2021

Arising Out of PS. Case No.-791 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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1. Rajesh Kumar S/o Sri Krishna Mahto R/o Mohalla- Kalibag, Bettiah Town, P.S.- Bettiah Town (Kalibag), District- West Champaran.
 2. Subhash Kumar S/o Sri Krishna Mahto R/o Mohalla- Kalibag, Bettiah Town, P.S.- Bettiah Town (Kalibag), District- West Champaran.
 3. Munna Kumar S/o Sri Krishna Mahto R/o Mohalla- Kalibag, Bettiah Town, P.S.- Bettiah Town (Kalibag), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

Petitioners apprehend their arrest in Bettiah Town (Kalibag) P.S. Case No.791 of 2017, registered for the offences punishable under Sections 341, 323, 324, 307, 308, 379, 504 and 34 of the Indian Penal Code.

The prosecution case, in brief, is that on 04.11.2017 at about 10 A.M., when the informant returned back to his house from Bettiah Bazar, he was that Deo Mahto @ Krishna Mahto, his sons and wife were quarreling with Suresh Mahto. The old mother of Suresh Mahto was assaulted by the petitioners and



other co-accused persons. When the informant tried to pacify the matter, Subhash Kumar (petitioner no.2) assaulted him on his neck by means of farsa causing injury in his palm. Thereafter Rajesh Kumar (petitioner no.1) took out a country made pistol and threatened the informant. Thereafter Krishna Mahto armed with farsa and Munna Kumar (petitioner no.3) armed with lathi surrounded the informant and Munna Kumar assaulted him causing injuries. Krishna Mahto took Rs.40,000/- from the pocket of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the petitioners have got no criminal antecedent as stated in paragraph 3 of the bail application and injury report shows that the injuries are simple in nature. It is also submitted that the police has filed chargesheet under Sections 341, 323, 308 and 504/34 of the Indian Penal Code.

The learned APP for the State opposes the prayer for anticipatory bail of the petitioners.

Taking into consideration the fact that the injuries are simple in nature, let 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 enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Bettiah Town (Kalibag) P.S. Case No.791 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Anjani Kumar Sharan, J.)

Sanjay/-

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