

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44162 of 2022

Arising Out of PS. Case No.-279 Year-2020 Thana- MAHESI District- East Champaran

1. Sindhu Devi Wife Of Shambhu Mahto @ Aklu Mahto At Present - Resident Of Mohalla - Main Road Mandawali A-39, P.S.- Mandawali, District - East Delhi. Permanent - Resident Of Village - Mahmada, P.S.- Mehsi, District - East Champaran.
2. Bishun Mahto Son Of Ramchandra Tiwari Resident Of Village - Mahmada, P.S.- Mehsi, District - East Champaran.
3. Umesh Kumar @ Umesh Mahto Son Of Doman Mahto At Present - Resident Of Mohalla - Kali Bari Marg, P.S.- Mandir Marg, District - Central Delhi. Permanent - Resident Of Village - Mahmada, P.S.- Mehsi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to
remove the defects, in any, within three weeks.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 147, 149,
341, 323, 325, 307, 354, 448 and 379 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are innocent and have been falsely implicated in this
case. He submits that there is general and omnibus allegation
leveled against the petitioners. He submits that there is specific



allegation against co-accused Shiv Mahto who gave sword blow on the head of the informant's wife. He submits that injury found upon the victim is simple in nature. He submits that similarly situated co-accused has already been granted bail by the Co-ordinate Bench of this Court on 25.03.2022 passed in Criminal Miscellaneous No. 19399 of 2021. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case and the fact that injury found upon the victim is simple in nature, let the above named petitioners 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 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 connection with Mehsi P.S. Case No. 279 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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