

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46571 of 2022

Arising Out of PS. Case No.-74 Year-2021 Thana- MAHESI District- East Champaran

1. Munni Devi Wife Of Harendra Mahto R/V- Bangra Firoj, P.S- Banuraj, Dist- Muzaffarpur
2. Indu Devi Wife Of Faguni Mahto R/V- Dagraha, P.S- Mehsi, Dist- East Champaran
3. Rupa Kumari Daughter Of Mokhtar Mahto R/V- Dagraha, P.S- Mehsi, Dist- East Champaran
4. Rinku Devi Wife Of Mokhtar Mahto R/V- Dagraha, P.S- Mehsi, Dist- East Champaran
5. Mokhtar Mahto @ Moktar Mahto Son Of Pathal Mahto R/V- Dagraha, P.S- Mehsi, Dist- East Champaran
6. Parshuram Mahto Son Of Gagandeo Mahto R/V- Partapur, P.S- Mehsi, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-12-2022 At the outset, It is submitted by learned counsel for the petitioners that he seeks permission to withdraw this application against petitioner no. 5 namely, Mokhtar Mahto.

Permission is accorded.

This application is dismissed as withdrawn against petitioner no. 5 namely, Mokhtar Mahto..

So far as rest of the petitioners are concerned, the instant application for anticipatory bail has been filed by the



petitioners apprehending their arrest in connection with Mehshi (Jaibajranj O.P.) P.S. Case no. 74 of 2021 instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 of the Indian Penal Code.

It is a case of assaulting to the informant and others by means of lathi danda & farsa due to which they sustained injuries.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. It appears from the FIR that there is a land dispute between the parties due to which the petitioners have falsely been implicated in this case. There is case and counter case, both parties sustained injuries as alleged in separate occurrences. General and omnibus allegation leveled against the petitioners.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners except petitioner no.5 namely, Mokhtar Mahto on bail. The petitioners except petitioner no.5 are directed to surrender in the Court below



within a period of four weeks from today and in the event of their arrest or surrender in connection with Mehshi (Jaibajranj O.P.) P.S. Case no. 74 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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