

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47403 of 2022

Arising Out of PS. Case No.-543 Year-2020 Thana- PHULPARAS District- Madhubani

1. NIRAS MAHTO Son of Bachche Lal Mahto Resident of Village - Bharavari, P.s.- Phulparas, Distt.- Madhubani.
2. Ajay Mahto Son of Jhausi Mahto Resident of Village - Bharavari, P.s.- Phulparas, Distt.- Madhubani.
3. Upendra Mahto Son of Ram Sevak Mahto Resident of Village - Bharavari, P.s.- Phulparas, Distt.- Madhubani.
4. Baiju Mahto Son of Ram Sevak Mahto Resident of Village - Bharavari, P.s.- Phulparas, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Gagan Deo Yadav, Advocate
For the State	:	Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Phulparas P.S. Case No.543 of 2020, registered for the offences punishable under Sections 447, 341, 323, 307, 379, 427 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further



submitted that there is case and counter case between the parties and both sides sustained injuries. It is submitted that the allegations against the petitioners no.2 to 4 are general and omnibus. The specific allegation is against petitioner no.1, Niras Mahto and co-accused, Arvind Mahto that they assaulted the son of the informant and the injuries sustained by him are grievous in nature.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Considering the fact that specific allegation is against petitioner no.1, Niras Mahto, I am not inclined to enlarge petitioner no.1, Niras Mahto on anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioner no.1, Niras Mahto is rejected.

Considering the fact that there is general and omnibus allegation against petitioners no.2 to 4, let petitioners no.2 to 4, 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 A.C.J.M.-II, Jhanyharpur in connection with Phulparas P.S. Case No.543 of 2020, subject to



the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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