

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49163 of 2022

Arising Out of PS. Case No.-216 Year-2016 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. RAM KALI DEVI W/o Sukhal Mahto Resident of Village - Suraha, P.s.-
Muffasil Motihari, Distt.- East Champaran.
 2. Sukhal Mahto Son of late Gorkh Mahto Resident of Village - Suraha, P.s.-
Muffasil Motihari, Distt.- East Champaran.
 3. Nand Lal Prasad Son of Sukhal Mahto Resident of Village - Suraha, P.s.-
Muffasil Motihari, Distt.- East Champaran.
 4. Bihari Prasad Son of Sukhal Mahto Resident of Village - Suraha, P.s.-
Muffasil Motihari, Distt.- East Champaran.
 5. Binod Kumar Son of Sukhal Mahto Resident of Village - Suraha, P.s.-
Muffasil Motihari, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-12-2022 At the outset, learned counsel for the petitioners seeks

permission to withdraw this anticipatory bail petition, so far as

petitioners no. 3 & 4 are concerned.

Accordingly, in respect of petitioner no. 3 & 4, this

petition is dismissed as withdrawn.

The petitioners (i.e. petitioner no. 1, 2, & 5)

apprehend their arrest in a case registered for the offence under

Section 307 & other allied sections of the Indian Penal Code.

As per the prosecution case, the informant and his

family members were assaulted by all the F.I.R named accused



persons including these petitioners.

Doctor has found the injury caused by these petitioners to be simple in nature. There is case and counter case. Admittedly, there is land dispute between the parties.

Learned A.P.P. for the State has opposed the bail petition.

Considering the general and omnibus nature of allegation and clean antecedent of petitioners, let the above named petitioner no. 1, 2 & 5, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Motihari, East Champaran in connection with Trial No. 1169 of 2019, arising out of Muffasil P.S. Case No. 216 of 2016, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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