

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10011 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- DEWARIA District- Muzaffarpur

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1. Sanjay Mahto @ Sahindra Mahto, male, aged about 25 years, S/o Malik Mahto.
 2. Pappu Kumar Mahto @ Pappu Mahto, male, aged about 22 years, S/o Mahesh Mahto.
 3. Deevakar Kumar, male, aged about 21 years, S/o Balendra Mahto.
- All are R/o Village-Birbalia, P.S.-Deoria, Dist.-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 21-02-2022 Heard the learned counsel for the parties.

Mr. Sanjay Kumar @ S.K., the counsel for the petitioners seeks permission to withdraw the application with respect to petitioner No. 1, namely, Sanjay Mahto @ Sahindra Mahto, who has been arrested during the pendency of this application.



The application with respect to petitioner No. 1 is dismissed as withdrawn.

The petitioner Nos. 2 and 3 seek bail in anticipation of their arrest in connection with Deoria P.S. Case No. 120 of 2020, dated 03.09.2020, instituted for the offences under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code.

A protest had been made by the wife of the informant against one Nitu Kumari and Mamta Kumari, who allegedly defecated at a place where the informant had been consuming his meal. This led to an altercation, wherein one Kameshwar Mahto is said to have assaulted the informant/victim by means of *farsa*. The injury suffered by the informant/victim though has been reported to be grievous in nature, but is in the nature of a lacerated wound on his nose.

It has further been submitted that the petitioner Nos. 2 and 3 are not attributed with specific accusation against them. They have been made accused in this case because they are members of the family of the aforesaid two



women who had defecated near the informant.

Considering the aforesaid background facts, the petitioner Nos. 2 and 3, namely, Pappu Kumar Mahto @ Pappu Mahto and Deevakar Kumar, in the event of their arrest or surrender before the learned Court below within a period of four weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Muzaffarpur in connection with Deoria P.S. Case No. 120 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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