

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66627 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- GANGABRIDGE District- Vaishali

1. CHUNCHUN MAHTO Son of Guru Mahto Resident of Village- Chak Mohammad Chisti, P.S.- Ganga Bridge, District- Vaishali
2. SITA DEVI Wife of Guru Mahto Resident of Village- Chak Mohammad Chisti, P.S.- Ganga Bridge, District- Vaishali
3. RAJU MAHTO Son of Guru Mahto Resident of Village- Chak Mohammad Chisti, P.S.- Ganga Bridge, District- Vaishali
4. SIMA KUMARI @ SIMA DEVI @ SHOBHA KUMARI Wife of Chunchun Mahto Resident of Village- Chak Mohammad Chisti, P.S.- Ganga Bridge, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Ms. Rina Sinha, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2022 At the outset, learned counsel for the petitioner seeks permission to withdraw this anticipatory bail application in respect of petitioners no.2 and 3, namely, Sita Devi and Raju Mahto as they have already been apprehended by the police during pendency of this application.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioners no.2 and 3, Sita Devi and Raju Mahto are concerned.

Heard learned counsel for the petitioners and learned



APP for the State.

Petitioners No.1 and 4, above named, apprehend their arrest in connection with Ganga Bridge P.S. Case No.119 of 2022, registered for the offences punishable under Sections 147, 149, 341, 323, 307, 379 and 504 of the Indian Penal Code.

The petitioners are said to have assaulted the husband of the informant by means of lathi, danda and rod. When the informant went to save her husband, she was also assaulted. Raju Mahto, petitioner no.3 assaulted the husband of the informant by means of iron rod on his head causing injury in his head. It is also alleged that co-accused, Guru Mahto took Rs.5000/- kept in the pocket of the husband of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that 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. The specific allegation is against Raju Mahto, petitioner no.3, who assaulted the husband of the informant by means of iron rod on his head causing grievous injury. It is also submitted that petitioners and informant are family members.

Learned APP for the State opposed the prayer for



anticipatory bail of the petitioners.

Taking into consideration the facts that there is case and counter case between the parties, there is general and omnibus allegation against petitioners no.1 and 4 and the fact that both sides are family members, let petitioners no.1 and 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 C.J.M., Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No.119 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

Sanjay/-

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