

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10057 of 2023

Arising Out of PS. Case No.-247 Year-2022 Thana- BIDUPUR District- Vaishali

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TUNTUN MAHTO S/o Late Kalika Mahto @ Late Kalicharan Mahto R/o
Village- Bidupur Pathan Toli @ Bidupur Paithan Toli, P.S.- Bidupur, Distt-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Ms.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-05-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Bidupur Police Station Case No. 247 of 2022, dated
20.05.2022, disclosing offences under Sections 447/341323/
324/307/504/506/34 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that on the point of quarrel among the children, the
petitioner abused the informant and assaulted him by means of
sickle (hasua).

Learned Counsel for the petitioner submits that
both the parties are agnates and on a trivial issue of fight among
the children, the scuffle had taken place between them and a



counter case has also been lodged by the mother of the petitioner against the informant and others. He further submits that from perusal of the impugned order, it appears that the injury is not grievous in nature inasmuch as the same is not disclosed in the impugned order.

Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnates and there is case and counter case, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Bidupur Police Station Case No. 247 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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