

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18359 of 2023

Arising Out of PS. Case No.-382 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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1. ROHIT KUMAR MAHTO @ PAPPU KUMAR @ PAPPU MAHTO SON OF AMARNATH MAHTO R/O VILLAGE- KARPURI NAGAR, WARD NO 15, P.S- TOWN (SIKANDARPUR O.P.), DISTT.- MUZAFFARPUR, 842001
 2. RAJA MAHTO SON OF DINESH MAHTO R/O VILLAGE- KARPURI NAGAR, WARD NO 15, P.S- TOWN (SIKANDARPUR O.P.), DISTT.- MUZAFFARPUR, 842001
 3. CHIKU KUMAR @ ABHISHEK KUMAR SON OF LAL MOHAN MAHTO R/O VILLAGE- KARPURI NAGAR, WARD NO 15, P.S- TOWN (SIKANDARPUR O.P.), DISTT.- MUZAFFARPUR, 842001
 4. VIJAY KUMAR @ VIJAY MAHTO S/O LALAN MAHTO R/O VILLAGE- KARPURI NAGAR, WARD NO 15, P.S- TOWN (SIKANDARPUR O.P.), DISTT.- MUZAFFARPUR, 842001

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar
For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioners in association of other co-accused are said to have intercepted the nephew of the informant while



he was returning back to his house on the alleged date and time of occurrence, whereafter they are alleged to have assaulted him. It is further alleged that when the informant had gone to the house of one Lal Mahto to make complaint about the alleged incident, he was also assaulted by the accused persons.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. It is further submitted that both the parties are neighbours and a free fight took place between the parties and members of both the parties have sustained injuries. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The injury sustained by the victim is simple in nature. Similarly situated co-accused, namely, Pankaj Kumar @ Pankaj Kmar has been enlarged on bail by a co-ordinate bench of this court vide order dated 25.05.2023 passed in Cr. Misc. No.17643 of 2023. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Town (Sikandarpur O.P.) P.S. Case No.382 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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