

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22717 of 2023

Arising Out of PS. Case No.-473 Year-2022 Thana- SUGAULI District- East Champaran

1. SANJAY MAHTO SON OF LATE SHAMBHU MAHTO R/O VILLAGE- SUGAO DIH, P.S.- SUGAULI, DISTRICT- EAST CHAMPARAN
2. SIMA DEVI WIFE OF SANJAY MAHTO R/O VILLAGE- SUGAO DIH, P.S.- SUGAULI, DISTRICT- EAST CHAMPARAN
3. JOGENDRA MAHTO @ YOGENDRA MAHTO SON OF RAMREKHA MAHTO R/O VILLAGE- NAYA GAON, P.S.- PAHARPUR, DISTRICT- EAST CHAMPARAN
4. SATYENDRA MAHTO SON OF YOGENDRA MAHTO @ JOGENDRA MAHTO R/O VILLAGE- NAYA GAON, P.S.- PAHARPUR, DISTRICT- EAST CHAMPARAN
5. ARVIND MAHTO SON OF YOGENDRA MAHTO @ YOGENDRA MAHTO R/O VILLAGE- NAYA GAON, P.S.- PAHARPUR, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-06-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case in connection with Sugauli P.S. Case No. 473 of 2022 dated 2.11.2022 registered for the offences punishable u/s 341, 323,



324, 307, 354, 379, 504, 34 of the Indian Penal Code.

As per the prosecution's case, eight accused persons armed with farsa, lathi came to the house of the informant and started abusing her. When the informant raised alarm, accused persons made her naked and when her son tried to cover her body, Sanjay Mahto assaulted her son with Axe due to which he received head injury. Further accused Niranjan Mahto and Yogendra Mahto assaulted the informant with farsa due to which, she received injury on her wrist and leg. When the villagers came to rescue, all the accused persons fled away.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The injury is simple in nature which was caused by hard and blunt substance. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs.



20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Motihari, East Champaran in connection with Sugauli P.S. Case No. 473 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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