

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24137 of 2023

Arising Out of PS. Case No.-225 Year-2022 Thana- RAJNAGAR District- Madhubani

1. Bharat Mahto Son Of Asharfi Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
2. Asharfi Mahto Son Of Chalitar Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
3. Satrudhan Mahto Son Of Chalitra Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
4. Anil Mahto Son Of Bharat Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
5. Ganesh Mahto Son Of Asharfi Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
6. Dinesh Mahto Son Of Asharfi Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
7. Rakesh Mahto @ Rakesh Kumar Son Of Asharfi Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
8. Mukesh Mahto @ Mukesh Kumar Son Of Asharfi Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
9. Umesh Mahto Son Of Asharfi Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
10. Sita Devi Wife Of Bhart Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
11. Manju Deiv Wife Of Asharfi Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
12. Radha Devi Wife Of Shatrudhan Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
13. Raju Mahto Son Of Chalitar Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
14. Rina Devi Wife Of Raju Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
15. Chandani Devi @ Chandani Kumari Wife Of Ganesh Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani
16. Anita Devi @ Anita Kumari Wife Of Dinesh Mahto Resident Of Village- Ranti, Ps- Rajnagar, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

Mr. Gagan Deo Yadav, Advocate
Mr. Ravi Prakash, Advocate
Mr. Vinod Kumar, Advocate
Mr. Udeshya Kumar Yadav, Advocate



For the Opposite Party/s : Mr. Rajesh Kumar, Advocate
Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no. 2 submitting that during pendency of this application the petitioner no. 2 has already been apprehended by the police.

Permission is granted.

Accordingly, this application with regard to petitioner no. 2 is dismissed as withdrawn.

Now, this application is being heard with regard to petitioners. no. 1 and 3 to 16.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 143, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

As per the prosecution case, the petitioners are said to have assaulted the informant's side.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific



rather general and omnibus in nature. There is land dispute between the parties. He submits that the injury was found simple in nature, a copy of the injury report is enclosed as Annexure-2 to the bail application. He further submits that there is no specific allegation against the petitioners regarding the assault to the informant and his wife and mother except petitioners Bharat Mahto and Asharfi Mahto. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well as nature of the injury, 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 Rajnagar P.S. Case No.225 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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