

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.24518 of 2023

Arising Out of PS. Case No.-125 Year-2020 Thana- MANJHI District- Saran

1. AMBIKA MAHTO S/O RAM BABU MAHTO Resident of Village-Salempur, P.S.- Manjhi, District- Saran.
2. SAPANESH MAHTO S/O AMBIKA MAHTO Resident of Village-Salempur, P.S.- Manjhi, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 07-07-2023 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Manjhi Police Station Case No. 125 of 2020, dated 23.05.2020 disclosing offences under Sections 341/323/504/385/307/354/34 of the Indian Penal Code.

The prosecution, on the basis of the First Information Report, is that the informant is a owner of brick-kiln. On 14.05.2022, in the morning, when the informant arrived at his brick-kiln, one adiwası worker made a complaint to the informant that one Govinda Mahto used to tease her by passing



objectionable remarks. Upon this, informant went to the accused persons to make a complaint, where accused persons assaulted the informant and his son, namely Rakesh Mahto.

Learned Counsel for the petitioners submits that there is no specific allegation against the petitioners of assault upon the informant and his son. He further submits that the allegation of assault is against the co-accused Randhir Mahto and the allegation against the petitioners is that they pressed the neck of the informant along with co-accused Tuntun Mahto. He next submits that no injury has been found on the person of the informant and the injury caused to other victims has been annexed at Annexure-2 series of the petition, in which three injuries, one grievous in nature and two simple in nature, has been caused to Sarika Mahto. He next submits that the petitioners have got no criminal antecedent.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that no specific allegation of assaulted is upon the petitioners and no apparent injury has been caused to the informant and the petitioners have got no criminal antecedent, accordingly, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.



Let the petitioners, above named, in the event of thier arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Saran at Chapra, in connection with Manjhi Police Station Case No. 125 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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