

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32761 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Ganga Devi, Wife Of Binod Mahto @ Binod Kumar Mahto Resident Of Village - Bishunpur Chaturbhuj, P.S. - Muffasil, Distt. - Begusarai
 2. Binod Mahto @ Binod Kumar Mahto, Son Of Late Khelo Mahto @ Ramkhel Resident Of Village - Bishunpur Chaturbhuj, Ward No. 20, P.S. - Muffasil, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Sections
341, 323, 308, 379, 387, 504, 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and petitioner
no.1 is a woman and on account of land dispute, it is alleged
that the petitioner no.1 Ganga Devi assaulted the informant with
a rod causing injury on her head and petitioner no.2 along with
other assaulted her on her hand and leg and the accused persons
also took away a box containing clothes, ornaments and cash of



Rs.40,000/-.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that though it is alleged that petitioner no.1 assaulted the informant by a rod causing injury on head, but then there is no injury report on record. It is further submitted that petitioner no.2 is alleged to have assaulted her on hand and leg along with other accused persons, but then the said allegations are general and omnibus in nature. It is further submitted that allegation of theft is ornamental.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Muffasil P. S. Case No.76 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.



However, the learned trial Court before accepting the bail bonds of the petitioner no.1 shall verify the nature of injury suffered by the informant and in the event, if it is found that the nature of injury suffered by the informant is grievous, then the present anticipatory bail order shall not be given effect to with respect to petitioner no.1.

(Satyavrat Verma, J)

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