

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33070 of 2023

Arising Out of PS. Case No.-417 Year-2022 Thana- ROSERA District- Samastipur

1. VIJAY KUMAR MAHTO @ BIJAL MAHTO S/o- LATE BHOLA MAHTO
Village- Gothara ward no-1 Ps- Rosera Dist- Samastipur
2. ANITA DEVI Vijay Kumar Mahto @ Bijal Mahto Village- Gothara ward
no-1 Ps- Rosera Dist- Samastipur
3. KARINA KUMARI Vijay Kumar Mahto @ Bijal Mahto Village- Gothara
ward no-1 Ps- Rosera Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No1, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-08-2023 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Rosera P.S. Case No. 417 of 2022 registered for the
offences punishable under Sections 341, 323, 324, 307, 354,
379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the
petitioners are persons with clean antecedent, petitioner nos. 2
and 3 are women and the informant alleges that on issue of
throwing cow dung, petitioner no.1 assaulted her by an iron
katta causing injury on head, Anita assaulted with *lathi* and



Karina assaulted with an iron rod and they assaulted her mother-in-law by *danda* causing injury on her right leg.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegations as alleged in the FIR it would manifest that on a trivial issue, an altercation took place in which both the sides assaulted each other, it is further submitted that even presuming what has been alleged is true, without admitting, then the assault is not said to be repeated and the injuries suffered by the informant is simple in nature as would be evident from Annexure-2 to the anticipatory bail application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rosera



P.S. Case No. 417 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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