

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37291 of 2023

Arising Out of PS. Case No.-89 Year-2022 Thana- PUSA District- Samastipur

1. Shila Devi Wife Of Late Ajay Kumar Mahto Resident Of Village- Gorai, Ps- Chakamehsi, District- Samastipur
2. Ram Vriksh Mahto @ Ram Brikash Mahto Son Of Late Santu Mahto @ Late Sntu Mahto Resident Of Village- Gorai, Ps- Chakamehsi, District- Samastipur
3. Rajnish Kumar @ Nunu Thakur Son Of Shankar Thakur Resident Of Village- Gorai, Ps- Chakamehsi, District- Samastipur
4. Pramila Devi Wife Of Ram Sogarath Mahto Resident Of Village- Gorai, Ps- Chakamehsi, District- Samastipur
5. Ram Sogarath Mahto @ Ram Swarth Mahto Son Of Late Lakshman Mahto Resident Of Village- Gorai, Ps- Chakamehsi, District- Samastipur
6. Asha Devi @ Usha Devi Wife Of Dinesh Mahto Resident Of Village- Gorai, Ps- Chakamehsi, District- Samastipur
7. Amerika Devi @ Murli Devi Wife Of Late Hazari Mahto Resident Of Village- Gorai, Ps- Chakamehsi, District- Samastipur
8. Babita Devi @ Halra Devi Wife Of Manoj Kumar Mahto Resident Of Village- Ladaura, Ps- Chakamehsi, District- Samastipur
9. Punam Devi Wife Of Ganesh Kumar Mahto Resident Of Village- Ladaura, Ps- Chakamehsi, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav
	:	Mr. Ravi Prakash
For the Opposite Party/s	:	Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections 147,



148, 149, 363, 365, 366 and 406 of the Indian Penal Code pending in the learned court below.

3. Allegations against the petitioners that these petitioners forcibly kidnapped the minor son of the informant with a view to marry with the daughter of petitioner Shila Devi, assaulted the son of informant and also snatched mobile and motorcycle and when the son of informant say that he is not ready for marriage then petitioner Shila Devi put vermilion on the head of her daughter.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that the occurrence took place on 08.07.2022 but the complaint case filed on 18.07.2022 after a delay of 10 days and the said complaint case converted into the F.I.R. on 04.09.2022. He submits that there is case and counter case between the parties. He further submits that there is compromise between the parties. He submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail submitting that in non-compoundable offence compromise has been filed only with a view to mitigate the offence, but it



does not effect over the merit of the case. Hence, petitioners do not deserve anticipatory bail.

6. Considering the aforesaid facts and circumstances and the fact that both the parties has compromised the matter, let the petitioners, named above, in the event of their arrest/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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Pusha P.S. Case No.89/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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