

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46071 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- LAKHNAUR District- Madhubani

1. RAJ KUMAR MAHTO Son of Ganga Prasad Mahto R/O Bhakhrauli, P.S.- Lakhnaur (RSOP), District - Madhubani
2. Neelam Devi Wife of Raj Kumar Mahto R/O Bhakhrauli, P.S.- Lakhnaur (RSOP), District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-01-2023 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Lakhnaur (RSOP) P.S. Case No.29 of 2022 instituted under Sections 341, 323, 325, 308, 379, 504, 506, 34 of the Indian Penal Code.

As per the prosecution story, the accused persons who are agnates surrounded his house and started assaulting. The allegation against petitioner no.1 is of using 'Phatta' on his head causing injury and when his father came to rescue, the petitioner no.2 assaulted him with 'lathi' causing fracture. Further allegation is of snatching of money and golden chain.

Learned counsel for the petitioners submit that due to land dispute as the petitioners couple herein do not have male



child, the informant's side want to grab their land and as they resist, this case as also another case has been lodged.

It is his further submission that since the informant's side are family members for the injury caused to the informant as also his father, the two petitioners are ready to pay Rs.10,000/- to the informant and Rs.15,000/- to his father irrespective of the outcome of this petition through the Demand Draft of State Bank of India to be deposited in the Nazarat of the sub-ordinate court.

Taking into account the kind of allegation as also the fact that they are agnates and due to land dispute there has been allegation of assault, with the further fact that the petitioner no.1 do not have any criminal antecedent while the petitioner no.2 is a lady, they on their own have decided to pay the treatment cost of the informant and his father, this Court is inclined to grant him relief.

Let the petitioners be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Lakhnaur (RSOP) P.S. Case No.29 of 2022 to the satisfaction of learned



A.C.J.M., Ist, Jhanjharpur, Madhubani, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

U		T	
---	--	---	--

