

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50103 of 2023

Arising Out of PS. Case No.-401 Year-2022 Thana- BAJPATTI District- Sitamarhi

1. Laxmi Narayan Mahto @ Laxmi Mahto Son Of Bhikhari Mahto R/O-Gainpur, P.S.-BAJPATTI, Distt.-SITAMARHI
2. Ram Chandra Mahto Son Of Bhikhari Mahto R/O-Gainpur, P.S.-BAJPATTI, Distt.-SITAMARHI
3. Pritam Mahto @ Pritam Kumar Son Of Ramchandra Mahto R/O-Gainpur, P.S.-BAJPATTI, Distt.-SITAMARHI
4. Dipu Mahto @ Deepak Mahto Son Of Laxminarayan Mahto R/O-Gainpur, P.S.-BAJPATTI, Distt.-SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha
For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 By order order 11.08.2023, this application with regard to petitioner no.2 was withdraw by the learned counsel for the petitioners.

2. Now, this application is being heard only with regard to petitioner nos. 1, 3 & 4 only.

3. Heard learned counsel for the rest of the petitioners and learned APP for the State assisted by learned counsel for the informant.

4. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 379/34 of the Indian Penal Code pending in



the learned court below.

5. As per the prosecution case, all the accused persons including the petitioners arrived at the house of the informant, assaulted hi and others by means of *lathi, garasa and* knife causing injuries upon the persons of the informant and others.

6. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioners. He submits that one of the injuries was found grievous in nature but it is not clear that who has assaulted that person who received grievous injury. He further submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 04.08.2023 passed in Cr. Misc. No. 45235/2023. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

7. Learned APP for the State along with learned counsel for the informant opposes the prayer for bail.

8. Considering the aforesaid facts and circumstances and the fact that there is general and omnibus allegation levelled against the petitioners, let the petitioner nos.1, 3 & 4, 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 Bajpatti P.S. Case No. 401/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

ajay/-

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

