

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54289 of 2022

Arising Out of PS. Case No.-191 Year-2021 Thana- MOTIPUR District- Muzaffarpur

1. Ranjit Mahto.
2. Ajit Mahto.
3. Sanjit Mahto.
All are Son of Rajkumar Mahto.
4. Upendra Mahto Son of Late Ramchandra Mahto.
All are R/V- Daria Chhapra, P.S- Motipur Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection
with Motipur P.S. Case No.191 of 2021 instituted under
Sections 341,323,324,307,379 and 354/34 of the IPC.

As per the prosecution story, the informant alleged
that the accused Raj Kumar Mahto had taken loan of
Rs.1,00,000/- during the marriage of his daughter but failed to
return and when he approached him, he started abusing and later
on his exhortion, the other family members also assembled and
allegation is of assault upon number of inmates of the
informant's side. Specific allegation is on petitioner no.4,



Upendra Mahto that he gave iron rod blow on the head of Renu Devi causing injury on her head and she became unconscious. On the other accuseds-petitioners, there is allegation of outraging the modesty as also snatching the amount.

Learned counsel for the petitioners submit that it is a matter of case and counter case, both sides got injuries and the matter is due to land dispute and in that backdrop, they deserve bail.

Learned APP on the other hand submits that so far as petitioner no.4, Upendra Mahto is concerned, it has clearly been alleged that he gave iron rod blow to the lady Renu Devi and at least he is not entitled for anticipatory bail.

Taking into account the fact that so far as the petitioner no.4, Upendra Mahto is concerned, there is specific allegation against him, this Court is not inclined to grant him anticipatory bail and accordingly the same stands rejected.

So far as the petitioner no.1 Ranjit Mahto, petitioner no.2 Ajit Mahto and petitioner no.3 Sanjit Mahto are concerned, omnibus allegation of assault and outraging the modesty is/are there and in view of the fact that they do not have criminal antecedent, this Court is inclined to extend them benefit of anticipatory bail with condition that the petitioners shall be



visiting the concerned police station for next six months every month.

Let the petitioner no.1 Ranjit Mahto, petitioner no.2 Ajit Mahto and petitioner no.3 Sanjit Mahto 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 Motipur P.S. Case No.191 of 2021 to the satisfaction of learned A.C.J.M., IInd (West) Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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