

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58725 of 2023

Arising Out of PS. Case No.-118 Year-2021 Thana- PHENHARA District- East Champaran

1. Kiran Devi, aged about 24 Years, Female, Daughter Of Sambhu Mahto
Resident Of Village -Madhurapur, Ps- Phenhara, Dist- East Champaran
2. Chhoti Kumari, aged about 22 Years, Female, Daughter Of Sambhu Mahto
Resident Of Village -Madhurapur, Ps- Phenhara, Dist- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Rahul Singh, Advocate

For the Opposite Party : Mr. Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Phenhara P.S. Case No. 118 of 2021 dated 22.08.2021, instituted for the offence punishable under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

3. The allegation against the petitioners is of pouring of water on the road in front of the informant's house when the informant and his son tried to stop them, accused petitioners became furious and threatened them of dire consequences. Thereafter, informant's son complained to the petitioners's father about the incident and then Shambhu Mahto, Prabhu Mahto and Pawan Mahato surrounded and assaulted him with *Tanguli* and *Kudal*, due to which he sustained injury. They snatched golden chain from his neck.



4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is no specific allegation of assault against the petitioners. It is further submitted that this case is a counter blast case of Phenhara P.S. Case No. 124 of 2021 instituted by petitioner no. 2. Lastly, it has been submitted that they have clean antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Phenhara P.S. Case No. 118 of 2021, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, East Champaran, subject to condition as laid down under Section 438(2).

(Khatim Reza, J)

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