

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58954 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- NTPC District- Patna

1. Nagina Mahto Son Of Late Ramsakal Mahto, Resident Of Village- Chak Nawada, Police Station- Ntpc, Distt.- Patna
2. Bhushan Mahto Son Of Late Anik Mahto, Resident Of Village- Chak Nawada Police Station Ntpc, Distt.- Patna
3. Sahdeo Mahto S/O Late Ramsakal Mahto, Resident Of Village- Chak Nawada, Police Station Ntpc, Distt.- Patna
4. Sanjay Mahto S/O Late Rambarosha Mahto, Resident Of Village- Chak Nawada, Police Station Ntpc, Distt.- Patna
5. Wakil Mahto Son Of Late Ramsakal Mahto, Resident Of Village- Chak Nawada Police Station Ntpc, Distt.- Patna
6. Manoj Mahto Son Of Late Ramchander Mahto, Resident Of Village- Chak Nawada Police Station Ntpc, Distt.- Patna
7. Ritesh Kumar Son Of Wakil Mahto, Resident Of Village Chak Nawada, Police Station Ntpc, Distt.- Patna
8. Ashok Mahto Son Of Inderdeo Mahto Resident Of Village- Chak Nawada Police Station Ntpc, Distt.- Patna
9. Vinod Mahto Son Of Late Ramchander Mahto, Resident Of Village- Chak Nawada Police Station Ntpc, Distt.- Patna
10. Dinesh Mahto Son Of Late Nagendra Mahto, Resident Of Village- Chak Nawada Police Station Ntpc, Distt.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun, Advocate Ms. Kanika, Advocate Mr. Thakur Brajesh Singh, Advocate
For the Opposite Party/s :		Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2023 Heard learned Counsel for the petitioners and learned

APP for the State.

2. The petitioners are apprehending their arrest in

connection with N.T.P.C. P. S. Case No. 52 of 2023 registered

on 14.04.2023 for the offences punishable under Sections 147, 148, 149, 323, 341, 307, 504 and 506 of the Indian Penal Code.

3. According to the prosecution, F.I.R. has been lodged against 13 named accused persons that when the informant was visiting to Ganga Snan then these accused persons have surrounded him and started assaulting the informant and their cousins in which informant's side were injured and bleeding took place. The cause of dispute has been referred in the F.I.R. itself the dispute has arisen between the children of the locality due to which the present dispute took place.

4. Learned counsel for the petitioners submits that the antecedent of all the petitioners are clean. Counsel further submits that petitioners are not criminal rather on petty dispute between the children of the village, the elderly people started scuffling with each other. Counsel further submits that he has annexed the injury report as Annexure-2 series, except one injury in which injury was reserved because of C.T. Scan report, injury of other injured persons are simple in nature. Counsel further submits that the petitioners are law abiding citizens and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail but submits that antecedent of the petitioners are clean.

6. In the aforesaid facts and circumstances, let the above-named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.Ist, Barh, Patna in connection with N.T.P.C. P.S. Case No. 52 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with other following conditions:

(i) One of the bailor should be the family member of the petitioners who shall provide official document to show his *bona fide*;

(ii) The petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself;

(iii) The petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence,

failing which the State shall be at liberty to take steps for
cancellation of the bail bonds; and

(v) The petitioners shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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