

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62091 of 2022

Arising Out of PS. Case No.-784 Year-2022 Thana- TURKAULIYA District- East
Champanan

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1. Ravindra Mahto S/O Late Dahari Mahto Resident of Village- Singhiya
Hiwan Nayaka Tola, P.S.- Banjariya, District- East Champanan.
 2. Sikandar Mahto S/O Late Dahari Mahto Resident of Village- Singhiya
Hiwan Nayaka Tola, P.S.- Banjariya, District- East Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-02-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioners seek bail in a case registered for the
offences punishable under Sections 341, 323, 324, 325, 307,
354(B), 379, 506 and 504/34 of the Indian Penal Code.

According to prosecution case, the petitioners
assaulted the brother of the informant and when the informant
and her family members came to rescue him, the accused
persons also assaulted the informant and her husband with knife
and snatched Rs. 20,000/- from the pocket of her husband. It is
further alleged that the accused persons also assaulted the
brother-in-law of the informant due to which his left eye got



damaged.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the petitioners and the informant are *pattidar* and there is admitted land dispute between the parties. He further submits that the allegation against these petitioners is that they have assaulted the Manager Mahto. He further submits that the complete injury report is not available on record and Manager Mahto sustained several injuries which are as follows ; 1. Stiche wound 02” in length on head, 2. Stiche wound 03” in length on frontal area of head and 3. Stiche wound 03” length on right temporal area of head. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioners are in custody since 14.08.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Turkauliya



(Banjariya) P.S. Case No. 784 of 2022, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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