

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71509 of 2023

Arising Out of PS. Case No.-175 Year-2023 Thana- BACHHWARA District- Begusarai

1. Ganesh Mahto @ Dhoko Mahto S/O Late Jilo Mahto @ Bini Mahto R/O Village- Bharaul, Post Office- Agapur, P.S- Bachhawara, Distt.- Begusarai.
2. Indu Devi W/O Tarkeshwar Mahto R/O Village- Bharaul, Post Office- Agapur, P.S- Bachhawara, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-11-2023

Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per F.I.R., the allegation against petitioners is that they alongwith other co-accused persons used to assault and abuse the informant and her family members. It is further alleged that petitioners are the associates of co-accused Raushan Kumar, who fired at the informant and threatened him to kill.

4. Petitioner no. 1 is father-in-law and petitioner no. 2 is sister-in-law of informant. Specific accusation is against co-accused Raushan Kumar. So far as these petitioners are



concerned, there is general and omnibus allegation against them. F.I.R. has been lodged after a delay of six days and there is no explanation of delay, which itself creates doubt over the veracity of the prosecution case. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bachhawara P.S. Case No. 175 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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