

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73696 of 2023

Arising Out of PS. Case No.-228 Year-2023 Thana- BARARI District- Katihar

1. Bhola Mahto S/O Ram Dayal Mahto @ Ram Dayal Mehta R/O-Aminabad, Mill Tola, Semapur, P.S.-BARARI (SEMAPUR), Dist.- Katihar
2. Din Dayal Mahto @ Din Dayal Mehta Son Of Late Ram Chij Mahto @ Late Ram Uchit Mahto R/O-Aminabad, Mill Tola, Semapur, P.S.-BARARI (SEMAPUR), Dist.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Barari (Semapur) P.S. Case No. 228 of 2023 instituted under Sections 341, 323, 307, 325, 379 and 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant had gone to his field, the named accused persons having spade in the hand surrounded the informant and the petitioner No. 1 assaulted with back side of the spade on his head and the petitioner No.2 alongwith other co-accused caught both the legs of the informant.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence. He further submits that petitioners have falsely been implicated in this case due to local politics and ulterior motive of the informant. He also submits that there is a land dispute between the parties. The injuries are found to be simple in nature. Petitioners have no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned Court of Additional Chief Judicial Magistrate-III, Katihar in connection with Barari (Semapur) P.S. Case No. 228 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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