

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74293 of 2023

Arising Out of PS. Case No.-260 Year-2023 Thana- JOGAPATTI District- West Champaran

1. MANTU MAHTO @ BHANTU MAHTO SON OF LATE MAYA MAHTO
RESIDENT OF VILLAGE - LALA TOLA, BAGAH, P.S. - JOGAPATTI,
DISTRICT - WEST CHAMPARAN
2. ANANDI MAHTO @ ANAND KUMAR SON OF SRI BHANTU MAHTO
@ MANTU MAHTO RESIDENT OF VILLAGE - LALA TOLA,
BAGAH, P.S. - JOGAPATTI, DISTRICT - WEST CHAMPARAN
3. SUMAN KUMAR SON OF SRI BHANTU MAHTO @ MANTU MAHTO
RESIDENT OF VILLAGE - LALA TOLA, BAGAH, P.S. - JOGAPATTI,
DISTRICT - WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Umesh Chandra Verma, Advocate
For the Opposite Party/s	:	Mr.Ram Anurag Singh, APP
For informant	:	Mr. Umesh Kr. Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 29-11-2023 1. Heard learned Counsel for the petitioners and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Jogapatti PS case no. 260 of 2023, disclosing
offences punishable under Section 307 and other allied sections
of the Indian Penal Code.
3. As per the First Information Report, petitioner
no. 1 ordered the accused persons for assaulting the informant,
on which, petitioner no. 2 assaulted the informant by means of
farsa and Suman Kumar assaulted Nagendra Kumar with *farsa*,



due to which, they sustained injury.

4. Learned Counsel for the petitioners submits that petitioner no. 1 is only an order giver. He further submits that both the parties are agnates and there is land dispute between them and a counter case has been lodged by the wife of petitioner no. 1 against the informant and others. Referring to Annexure-3, learned counsel for the petitioner submits that the injuries caused to the informant and Nagendra Kumar are simple in nature.

5. On the other hand, learned counsel for the informant has vehemently opposed the prayer for bail and submits that though the injuries are simple in nature but multiple injuries have been caused by the accused persons upon the informant and Nagendra Kumar.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both parties are agnates, land dispute is going on between them and a counter case has also been lodged by the side of the petitioners, as is apparent from Annexure-2, I am inclined to grant the privilege of anticipatory bail to the petitioners.

7. This application is, accordingly, allowed.

8. Let petitioners, abovenamed, in the event of their



arrest or surrender before the Court below within four weeks, 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 learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Jogapatti PS case no. 260 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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