

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73053 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- ANGARGHAT District- Samastipur

1. RAM BAHADUR MAHTO S/o Ram Nandan Mahto @ Nandan Mahto R/v-
Angarghat, P.S.- Angarghat, District- Samastipur
2. SHIV SHANKAR MAHTO S/o Ram Nandan Mahto @ Nandan Mahto R/v-
Angarghat, P.S.- Angarghat, District- Samastipur

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anuj Dilbar Krishna, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners in the present case are seeking pre-arrest
bail in connection with Angarghat P.S. Case No. 64 of 2022
registered for the offences punishable under Sections 147/ 341/
323/ 325/ 307/ 354/ 447/ 448/ 504/ 506 of the Indian Penal
Code. Petitioner nos. 1 and 2 have got no criminal antecedent.

As per the prosecution story, the allegation against the
petitioners is that they along with some other accused persons
attacked the informant and his family members. It is alleged that
Shiv Shankar Mahto (petitioner no. 2) assaulted the father and
mother of the informant with iron rod causing head injury and
injury in their hands and Shyam Mahto and Santosh Mahto



outraged the modesty of wife of the informant and assaulted her.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the parties are co-villagers and the injuries are simple in nature except the injury of wife of the informant which was caused by the co-accused.

Mr. Parmanand Kumar, learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case wherein both the parties are co-villagers, they had a fight over grazing of the crop by the animal and the injuries caused are said to be simple in nature except the injury of Khushboo Devi who was assaulted by the co-accused, the petitioners have otherwise no criminal antecedent, in the circumstances, this Court directs that the petitioners above-named in connection with Angarghat P.S. Case No. 64 of 2022 on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. II, Dalsinghsarai (Samastipur), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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