

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78355 of 2023

Arising Out of PS. Case No.-111 Year-2023 Thana- GORAUL District- Vaishali

1. CHANDAN MAHATO @ CHANDAN KUMAR S/O RAM GULAM MAHATO R/O VILL - RAMDASPUR, P.S. - GORAUL, DIST - VAISHALI
2. KRISHNA MAHATO @ KRISHNA KUMAR S/O RAM GULAM MAHATO R/O VILL - RAMDASPUR, P.S. - GORAUL, DIST - VAISHALI
3. DHARMENDRA MAHATO S/O RAM GULAM MAHATO R/O VILL - RAMDASPUR, P.S. - GORAUL, DIST - VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kr. Arya, Adv.

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 302, 325, 504, 34 of the Indian Penal Code.

3. Allegation against the petitioners is that they along with other co-accused persons entered the house of the informant and started abusing him. They also assaulted the informant and his family members with deadly weapons.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is specific overt act against co-accused



Nandan Mahto to assault the informant's father, namely, Bhunder Mahto due to which he sustained serious injuries and died during the treatment. Rest of the injured persons have sustained simple injuries, which is also evident from the case diary. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners and the injuries caused by these petitioners to the injured persons are found simple in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Goraul P.S. Case No. 111 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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