

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4921 of 2024

Arising Out of PS. Case No.-504 Year-2023 Thana- BRAHMPUR District- Buxar

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1. GUPTESHWAR MAHTO SON OF LATE RAM CHANDRA MAHTO
RESIDENT OF VILLAGE - LILADHARPUR, P.S. - BRAHMPUR,
DISTRICT - BUXAR
 2. DEEPAK MAHTO SON OF SRI DEVMUNI MAHTO RESIDENT OF
VILLAGE - LILADHARPUR, P.S. - BRAHMPUR, DISTRICT - BUXAR
 3. KALLU MAHTO SON OF SRI DEVMUNI MAHTO RESIDENT OF
VILLAGE - LILADHARPUR, P.S. - BRAHMPUR, DISTRICT - BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Singh, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-02-2024 1. Heard learned Counsel for the petitioners and learned
APP for the State.
2. This application, for grant of anticipatory bail, arises
out of Brahmpur (Chakki O.P.) PS case no. 504 of 2023, disclosing
offences punishable under Sections 341, 323, 354(B), 307, 379,
447, 504, 506/34 of the Indian Penal Code.
3. The prosecution story, as per the First Information
Report is that on 16.08.2023, while the informant was sitting with
his mother and sister, the petitioners along with other accused
persons arrived there and abused the mother of the informant and
when the same was objected by the informant and others, accused



persons assaulted them by means of iron rod on their heads in order to kill the informant and his mother. It is alleged that petitioner no. 1 pressed the neck of the informant's mother, hit him and petitioners no. 2 and 3 assaulted the sister of the informant and pulled her on the ground by holding her hair.

4. Learned Counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and have falsely been implicated in this case. He further submits that father of informant and petitioner no. 1 are own brothers and there is a dispute with regard to main door of the joint family house. He also submits that injuries caused to the victims are simple in nature and co-accused Devmuni Mahto has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 20.12.2023, passed in Cr. Misc. no. 81226 of 2023, which is annexed as Annexure-3.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that injuries caused to the victims are simple in nature, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. 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 C.J.M., Buxar in connection with Brahmpur (Chakki O.P.) PS case no. 504 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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