

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9074 of 2024

Arising Out of PS. Case No.-306 Year-2020 Thana- ALOULI District- Khagaria

1. Ramu Mahto @ Ramu Kumar Son Of Rupan Mahto R/O-Hanipur, P.S.- Alauli Distt.- Khagaria
2. Rambali Mahto @ Rambali Kumar Sonof Rupan Mahto R/O-Hanipur, P.S.- Alauli Distt.- Khagaria
3. Shyam Kumar Son Of Ram Bahadur Mahto R/O-Hanipur, P.S.- Alauli Distt.- Khagaria
4. Rambinay Mahto @ Ram Binay Kumar Son Of Devan Mahto R/O-Hanipur, P.S.- Alauli Distt.-Khagaria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Braj Bhusan Poddar, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to withdraw this application as regards to petitioner no. 4 namely, Rambinay Mahto @ Ram Binay Kumar for the present.

3. Accordingly, prayer of anticipatory bail of petitioner no. 4 namely, Rambinay Mahto @ Ram Binay Kumar is dismissed as withdrawn for the present.

4. Now this anticipatory bail application survives only against petitioner nos. 1, 2 and 3.



5. Above-named petitioners are named in the F.I.R. and apprehending their arrest in connection with Alauli P.S. Case No. 306 of 2020 registered for the offences punishable under Sections 341, 323, 504, 506, 379, 308, 34 of the Indian Penal Code.

6. Allegation against petitioners is to assault the informant and others by using iron rod causing head and bodily injury.

7.It is submitted by learned counsel that the occurrence took place due to dispute arises out of monetary transactions, where allegation of assault is specifically available against co-accused Ram Binay Mahto, whereas allegation against the petitioners is very general and omnibus, who are men of clean antecedent.

8. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

9. Having regard to the facts and circumstances of the case and by taking note of the fact as allegation *qua* assault against these petitioners is very general and omnibus having clean antecedent, accordingly, above-named three petitioners, in the event of their arrest/surrender within a period of four weeks from today, are directed to be enlarged on bail on furnishing of



bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Khagaria in connection with Alauli P.S. Case No. 306 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Rajeev/-

U		T	
---	--	---	--

