

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9408 of 2024

Arising Out of PS. Case No.-128 Year-2023 Thana- JAYNAGAR District- Madhubani

1. Ram Briksha Mahto S/o Mohan Mahto R/o Vill - Dullipati, P.S. - Jaynagar, District - Madhubani
2. Sangita Devi W/o Ram Briksha Mahto R/o Vill - Dullipati, P.S. - Jaynagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Jay Nagar P.S. Case No. 128 of 2023 dated 28.03.2023., instituted for the offence punishable under Sections 448, 341, 323, 307, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the brother of the informant namely Ram Briksha Mahto and Sangita Devi entered into his house and started assaulting him and his wife namely Lalita Rani on their head and they were injured. The bone of the head and hand of informant's wife was fractured. His son took them to Jaynagar Hospital and considering the



seriousness of the case they were referred to Darbhanga Paras Hospital for better treatment.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioner no. 1 is the full brother of the informant due to land dispute, some altercation has occurred between the parties. It is further submitted that alleged date of occurrence is 23.03.2023 but the F.I.R. was lodged on 28.03.2023 after lapse of five days without any explanation of delay. It is submitted that the instant case has been compromised between the parties and the said compromise petition has been filed before the lower court. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Jay Nagar P.S. Case No. 128 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



the learned learned Chief Judicial Magistrate, Madhubani,
subject to condition as laid down under Section 438(2) of the
Cr.P.C.

(Khatim Reza, J)

sankalp/-

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