

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11586 of 2024

Arising Out of PS. Case No.-323 Year-2023 Thana- PAHARPUR District- East Champaran

1. Vinod Mahto S/O Sunar Mahto Village- Siswa Nuniyawa Tola, P.S.- Paharpur, District- East Champaran, Motihari.
2. AKHILESH MAHTO S/O SUNAR MAHTO Village- Siswa Nuniyawa Tola, P.S.- Paharpur, District- East Champaran, Motihari.
3. KRISHNAWATI DEVI W/O SUNAR MAHTO Village- Siswa Nuniyawa Tola, P.S.- Paharpur, District- East Champaran, Motihari.
4. ANJANLI DEVI W/O AKHILESH MAHTO Village- Siswa Nuniyawa Tola, P.S.- Paharpur, District- East Champaran, Motihari.
5. SHOVA DEVI @ SHOBHA DEVI W/O VINOD MAHTO Village- Siswa Nuniyawa Tola, P.S.- Paharpur, District- East Champaran, Motihari.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-03-2024 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, 342, 323, 324, 325, 308, 354, 447 & 504/34 of the Indian Penal Code.

3. The petitioners are said to have assaulted the informant and her family members by various means.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled



against the petitioners is not specific rather general and omnibus in nature. Petitioners and informant are close agnates and there is admitted land dispute between the parties. Both sides have filed cases against each other. There is inordinate and abnormal delay of almost 15 days in lodging the present F.I.R. without assigning any plausible and convincing reason for the said delay which creates serious doubt about the prosecution case. 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, 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 Paharpur P.S. Case No.323 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Trivedi/-

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

