

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10835 of 2024

Arising Out of PS. Case No.-69 Year-2020 Thana- MEDNI CHAUKI District- Lakhisarai

1. Lochan Mahto S/O- Late Dharmpal Mahto R/O- Village- Devghara Chandra Tola, P.S.- Madanichauki, Dist.- Laklisarai.
2. Uchit Mahto S/O- Lochan Mahto R/O- Village- Devghara Chandra Tola, P.S.- Madanichauki, Dist.- Laklisarai.
3. Campani Mahto S/O- Lochan Mahto R/O- Village- Devghara Chandra Tola, P.S.- Madanichauki, Dist.- Laklisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramjiban Prasad, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Medanichauki P.S. Case No. 69 of 2020 dated 22.07.2020 registered for the offences punishable under Sections 341, 323, 504, 308 and 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that the petitioner no. 2 is said to have abused the informant and when the same was protested, petitioner no. 3 assaulted the informant by means of knife and when Fulo Mahto went to rescue him, he was also assaulted by the petitioners and others with *lathi* and *danda*.

4. Learned counsel for the petitioners submits that the petitioners are quite innocent and have committed no offence. The petitioners bears no criminal antecedent. There is a case and counter case between both the parties on the same date of occurrence. There is no specific allegation of assault against the petitioner nos. 1 and 2. He further submits that there is specific allegation of assault against petitioner no. 3 but the injury report does not corroborate the allegation made in the F.I.R. The nature of injury is simple, caused by hard and blunt substance.

5. Learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioners, argument advanced on behalf of both sides and also taking into consideration the materials available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 1st, Lakhisarai in connection with Medanichauki P.S. Case No. 69 of

2020, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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