

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16681 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

1. Raghuvar Mahto, Son Of Devraj Mahto, Resident Of Village -CHOUMUKH, Ps- Bochaha, Distt- Muzaffarpur
2. Devraj Mahto Na Resident Of Village -CHOUMUKH, Ps- Bochaha, Distt- Muzaffarpur
3. Ram Briksh Mahto @ Brikish Mahto Son Of Late Maheshwar Mahto Resident Of Village -CHOUMUKH, Ps- Bochaha, Distt- Muzaffarpur
4. Anjali Devi Wife Of Raghuwar Mahto Resident Of Village -CHOUMUKH, Ps- Bochaha, Distt- Muzaffarpur
5. Lakshmi Devi Wife Of Prabhu Mahto Resident Of Village -CHOUMUKH, Ps- Bochaha, Distt- Muzaffarpur
6. Krishna Devi Wife Of Devraj Mahto Resident Of Village -CHOUMUKH, Ps- Bochaha, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Jha, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Bochaha P.S. Case No. 166 of 2023, registered for the offences under Sections 341, 342, 323, 308, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioners abused and assaulted the maternal uncle of the informant and also



threatened the informant.

4. Learned counsel for the petitioners submits that the petitioners moved before the learned Sessions Judge, Muzaffarpur for grant of anticipatory bail and they were granted anticipatory bail vide order dated 23.08.2023 and directed to furnish bail bonds in the court concern within a period of four weeks but the petitioners did not furnish bail bonds in the stipulated period. Thereafter, the petitioners filed an application for extension of time which was rejected vide order dated 05.12.2023. Learned counsel further submits that the petitioners are poor persons and are labourers and for this reason they could not furnish bail bonds within a period of four weeks granted to them. Petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail submitting that the petitioners failed to abide by the orders of the learned Sessions Judge. However, learned APP concedes that the allegations are not much serious.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of allegation against the petitioners, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from



today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 14th, Muzaffarpur East/concerned court in connection with Bochaha P.S. Case No. 166 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

It is made clear that if the petitioners failed to comply the directions of this Court, adverse orders would be passed against them.

(Arun Kumar Jha, J)

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