

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27290 of 2024

Arising Out of PS. Case No.-604 Year-2023 Thana- SULTANGANJ District- Patna

1. Vasudeo Mahto @ Vasudeo Mahton S/o Late Basant Mahto R/o Dargah Road, Shiv Mandir, Patthar Ki Masjid, P.S. - Sultanganj, Distt. - Patna
2. Suman Devi W/o Late Vasudeo Mahto @ Vasudeo Mahton R/o Dargah Road, Shiv Mandir, Patthar Ki Masjid, P.S. - Sultanganj, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-04-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 302, 504 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner No. 2 is a woman and they have been falsely implicated in the instant case by the informant with general and omnibus allegations. It is next that no doubt the informant alleges that his mother was killed but then specific allegation of throwing the



mother of the informant from the terrace is against Subhash. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant has alleged with respect to the petitioners, who are uncle and aunt of the Subhash, that they had also come to help him and today the petitioners had come and were abusing him. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the dispute was trivial as the informant alleges that his mason had commenced the work of construction of his house but when the same was objected by Subhash on the ground that first the mason should do his work and thereafter he should start the work of the informant on which an altercation took place leading to the occurrence.

4. The learned counsel next submits that mother of the informant no doubt died but then she slipped from her terrace and was not thrown by Subhash but then this is an aspect of investigation. It is submitted at the cost of repetition that there is no specific allegation against the petitioners, who are uncle and aunt of Subhash and have been implicated in the instant case only with a view to coerce Subhash into submission along with other family members.

5. Learned A.P.P. for the State along with learned



counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners, but then are not in a position to rebut the submission of the learned counsel for the petitioners that there is no specific allegation of committing the occurrence of killing of the mother of the informant.

6. Considering the submissions made by the learned counsel for the petitioners, 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sultanganj P.S. Case No. 604 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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