

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 24708 of 2024**

Arising Out of PS. Case No.-939 Year-2023 Thana- ARA NAGAR District- Bhojpur

1. LOHA MAHTO SON OF SANJAY MAHATO @ CHANDAN PRASAD SINGH RESIDENT OF VILLAGE - DHARAHARA, P.S. - ARA TOWN, DISTRICT - BHOJPUR
2. NAVIN MAHATO SON OF SANJAY MAHATO @ CHANDAN PRASAD SINGH RESIDENT OF VILLAGE - DHARAHARA, P.S. - ARA TOWN, DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Dharendra Singh, Advocate

For the Opposite Party/s : Mr Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR JUSTICE KHATIM REZA

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2 The petitioners apprehend arrest in connection with Ara Town PS Case No 939 of 2023 dated 18.11.2023 instituted under Sections 341, 323, 307, 384, 379/34 of the Indian Penal Code.

3 The allegation against the petitioners is that they assaulted with iron rod on the head of the informant and his son, namely, Anupam Abhishek.

4 The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that there is case and counter case



between the parties. Both parties are next door neighbours. The doctor has opined that no significant abnormality is seen in the brain with regard to injury report of Amitabh Singh, the informant and his son Anupam Abhishek. It is also submitted that petitioner No 2 has no criminal antecedent but petitioner no. 1 has one criminal case against him.

5 Learned APP for the State has opposed the prayer for anticipatory bail.

6 Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in Ara Town PS Case No 939 of 2023 dated 18.11.2023 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

7 The application stands allowed.

(Khatim Reza, J)

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