

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35211 of 2024

Arising Out of PS. Case No.-346 Year-2023 Thana- DORIGANJ District- Saran

1. RAMPUKAR MAHTO SON OF LALA MAHTO RESIDENT OF VILLAGE - SURATPUR, P.S. - DORIGANJ, DISTRICT - SARAN AT CHAPRA
2. PARMESHWAR MAHTO @ LAGAN MAHTO SON OF RAM PUKAR MAHTO RESIDENT OF VILLAGE - SURATPUR, P.S. - DORIGANJ, DISTRICT - SARAN AT CHAPRA
3. NEETU KUMARI @ NEETU DEVI WIFE OF PARMESHWAR MAHTO RESIDENT OF VILLAGE - SURATPUR, P.S. - DORIGANJ, DISTRICT - SARAN AT CHAPRA
4. ARTI DEVI WIFE OF RAMBABU MAHTO RESIDENT OF VILLAGE - SURATPUR, P.S. - DORIGANJ, DISTRICT - SARAN AT CHAPRA
5. BABITA DEVI @ FULESHWARI DEVI WIFE OF RAMPUKAR MAHTO RESIDENT OF VILLAGE - SURATPUR, P.S. - DORIGANJ, DISTRICT - SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Advocate

For the Opposite Party/s : Mr. Ram Sevak Chaudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-06-2024 Heard Mr. Alok Ranjan, learned counsel for the petitioners and Mr. Ram Sevak Chaudhary, learned A.P.P. for the State.

2. The petitioners in this case are seeking anticipatory bail in connection with Doriganj P.S. Case No. 346 of 2023 registered for the offences punishable under Sections 341, 323, 324, 307, 354(B), 379, 504, 506 of the Indian Penal Code. They have no criminal antecedent.



3. As per the prosecution story, on 14.11.2023, when the informant was on her door, in the meantime, all the accused persons including these petitioners having armed with dab and iron rod came there and started assaulting her. They have also tried to outrage her modesty and snatched her mangalsutra. It is further alleged that when the informant's husband went to inquire the matter, then all the accused persons assaulted him by iron rod and dab which caused injury on his head and shoulder.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel submits that there are general and omnibus kind of allegation of assault against all the petitioners. It is submitted that the petitioners have got no criminal antecedent.

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

6. Having regard to the allegations of commission of overt act against the petitioner No. 1 and 2, this Court is not inclined to grant privilege of anticipatory bail to them.

7. So far as the petitioner Nos. 3, 4 and 5 are concerned, in the second part of the F.I.R., there are general and omnibus kind of allegations against them, therefore, this Court



directs that in case of their arrest or surrender within a period of four weeks from today, the petitioner Nos. 3, 4 and 5 above named shall be released on bail in connection with Doriganj P.S. Case No. 346 of 2023 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 J.M.-1st Class, Saran at Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. And further condition that the Court below shall verify the criminal antecedent of the petitioner Nos. 3, 4 and 5 and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall no be delayed for the purpose of or in the name of verification.

9. This application is partly allowed.

(Rajeev Ranjan Prasad, J)

sachin/-

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

