

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32408 of 2024

Arising Out of PS. Case No.-274 Year-2023 Thana- SAUR BAZAR District- Saharsa

1. Manoj Kumar @ Manoj Mahto Son of Late Dunnilal Mahto Resident of Village - Chandaaur Purvi Beldari Chadaur Purvi, P.S. - Saur Bazar, District - Saharsa
2. Avinda Devi @ Abinda Devi @ Aminda Kumari Wife of Ranjan Mahto Resident of Village - Chandaaur Purvi Beldari Chadaur Purvi, P.S. - Saur Bazar, District - Saharsa
3. Salita Devi Daugher-in-Law of Dunnilal Mahto, Wife of Late Lal Bahadaur Mahto Resident of Village - Chandaaur Purvi Beldari Chadaur Purvi, P.S. - Saur Bazar, District - Saharsa
4. Ganesh Kumar @ Gautam Kumar Son of Manoj Kumar @ Manoj Mahto Resident of Village - Chandaaur Purvi Beldari Chadaur Purvi, P.S. - Saur Bazar, District - Saharsa
5. Sunita Devi Wife of Manoj Kumar @ Manoj Mahto Resident of Village - Chandaaur Purvi Beldari Chadaur Purvi, P.S. - Saur Bazar, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

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

2. The petitioners are apprehending their arrest in connection with Saur Bazar P.S. Case No. 274/2023 dated 17.05.2023 registered for the offence punishable u/ss 341, 323, 448, 324, 307, 354A, 427, 379, 504 and 506 read with 34 of the Indian Penal Code.



3. As per the prosecution case, the petitioners and the co-accused persons came to grab the land of the informant and entered the informant's house. On the order of the petitioner no. 3, the co-accused assaulted the informant with dabiya, causing injury. When the informant's wife came to rescue, the accused persons assaulted the informant's wife and tore her clothes with bad intention. In the meantime, the petitioner no. 2 and 5 snatched *mangalsutra* of the informant's wife. Further, the petitioner no. 4 took away box containing ornaments of the informant's wife, Rs. 15,000 and documents of the land and the petitioner no. 3 threatened them to kill.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The specific allegation of assault is against the co-accused Rahul Mahto. The petitioner no. 2, 3 and 5 are ladies. Learned counsel has submitted that there is a land dispute between the parties. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners. As per Annexure-2, the injury of the informant is grievous in nature.



6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Saur Bazar P.S. Case No. 274/2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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