

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31415 of 2024

Arising Out of PS. Case No.-370 Year-2022 Thana- DARIYAPUR District- Saran

1. Binod Mahto @ Vinod Kumar @ Vinod Mahto Son Of Ram Sewak Mahto Village- Tarwa Magarpal, P.S.- Dariyapur, Dist- Saran
2. Satyendra Mahto @ Satyendra Kumar @ Satendra Mahto Son Of Binod Mahto @ Vinod Kumar @ Vinod Mahto Village- Tarwa Magarpal, P.S.- Dariyapur, Dist- Saran
3. Mina Devi @ Muni Devi Wife Of Binod Mahto @ Vinod Kumar @ Vinod Kumar Village- Tarwa Magarpal, P.S.- Dariyapur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-05-2024 Learned counsel for the petitioners is permitted to make necessary correction in cause title of the bail petition during the course of the day.

2. Heard learned counsel for the petitioners and learned A.P.P. for the State.

3. The petitioners are apprehending their arrest in connection with Dariyapur P.S. Case No. 370 of 2022 registered for the offences punishable under Sections 342, 307, 323, 379, 504 and 506/34 of the Indian Penal Code.

4. As per prosecution case, petitioners and other concertedly surrounded the informant and assaulted him by



means of lathi, danda, bricks, stone and fists. It is further alleged that co-accused, Kamakhya Mahto, dragged the informant to his door and tied informant with coconut tree and the reasons behind the said occurrence is Rs. 50,000/- which was being demanded by the informant and on account of said reasons , the said occurrence has taken place.

5. Learned counsel for the petitioner submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioners bear no criminal antecedent. He further submits that there is no specific allegation against the petitioners rather the same is general and omnibus in nature. The specific allegation is against co-accused, Kamakhya Mahto, who is said to have dragged the informant to his house and tied informant to coconut tree. Learned counsel for the petitioner has specifically submitted in para 10 of the bail petition that on 30.06.2022 at about 3.30 A.M. informant jumped into the house of Kamakhya Mahto with the ulterior motive and villagers have caught the informant and simple punishment was given as per decision of the panchayat and on account of said dirty village politics, petitioners have falsely been implicated in the present case.

6. The learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

7. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Dariyapur P.S. Case No. 370 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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