

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33296 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- MADHUBAN District- East Champaran

1. Sonelal Mahto Son of Sukhari Mahto Resident of village - Vajitpur, P.S.- Madhuban, District - East Champaran.
2. Sonu Mahto Son of Kapil Mahto @ Kapildev Mahto Resident of village - Vajitpur, P.S.- Madhuban, District - East Champaran.
3. Anil Mahto Son of Kapil Mahto @ Kapildev Mahto Resident of village - Vajitpur, P.S.- Madhuban, District - East Champaran.
4. Rakesh Kumar Chaudhary @ Rakesh Chaudhary Son of Janak Chaudhary Resident of village - Vajitpur, P.S.- Madhuban, District - East Champaran.
5. Lal Saheb @ Lal Saheb Mahto Son of Late Chulahi Chaudhary Resident of village - Vajitpur, P.S.- Madhuban, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 20-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 337, 325, 307, 332, 333, 353, 427, 504 and 506 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.
4. The informant alleges that on 02.02.2024 an information was received that an accident had taken place at



village Vajitpur Chowk and some persons have sustained injuries, accordingly, the informant along with the police force reached the place of occurrence and saw that a vehicle as detailed in the FIR had dashed a hut and the miscreants, who had assembled, had assaulted the driver and inmates of the offending vehicle and also damaged the vehicle and scuffled with the police force when they tried to take the injured to the hospital. It is further alleged that the miscreants thus created obstruction in discharge of official duty and were identified by the Chawkidar.

5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that the FIR is instituted against 46 named accused persons and 40-50 unknown as such it is submitted that it is not possible for the Chawkidar to identify all the miscreants with parentage. It is next submitted that no specific allegation is alleged against the petitioners and they will not abscond rather will cooperate in the investigation.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in



the event of their arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Madhuban P.S. Case No. 42 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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