

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42027 of 2023

Arising Out of PS. Case No.-297 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

1. Ramjash Mahto, Son Of Late Dular Chand Mahto Residence Of Salehpur, P.S. - Mohamadpur, Distt. - Gopalganj
2. Dipak Kumar, Son Of Ramesh Mahto Residence Of Salehpur, P.S. - Mohamadpur, Distt. - Gopalganj
3. Raj Kumar Mahto, Son Of Chandrika Mahto Residence Of Salehpur, P.S. - Mohamadpur, Distt. - Gopalganj
4. Hakim Mahto, Son Of Late Satyanarayan Mahto Residence Of Salehpur, P.S. - Mohamadpur, Distt. - Gopalganj
5. Hari Kishore Mahto @ Haikishor Mahto, Son Of Manu Mahto Residence Of Salehpur, P.S. - Mohamadpur, Distt. - Gopalganj
6. Chandrika Mahto, Son Of Late Satyanarayan Mahto Residence Of Salehpur, P.S. - Mohamadpur, Distt. - Gopalganj
7. Sheo Kumar Mahto, Son Of Manu Mahto Residence Of Salehpur, P.S. - Mohamadpur, Distt. - Gopalganj
8. Suraj Mahto, Son Of Hari Kishore Mahto Residence Of Salehpur, P.S. - Mohamadpur, Distt. - Gopalganj
9. Jata Mahto, Son Of Late Dular Chand Mahto Residence Of Salehpur, P.S. - Mohamadpur, Distt. - Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 5 09-04-2024 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.1, Ramjash Mahto.



3. Permission is accorded.

4. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.1, Ramjash Mahto.

5. The rest petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

6. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and on account of dispute relating to land, they have been falsely implicated in the instant case. It is further submitted that allegation against Dipak Kumar and Hari Kishore Mahto is general and omnibus in nature. It is further submitted that specific allegation of assaulting the informant is against Ramjash Mahto and Raj Kumar Mahto (petitioner no.3) is alleged to have assaulted the brother of the informant and his wife by spear causing injury.

7. It is further submitted that from the order impugned, it would manifest that the injury suffered by the informant (Suresh Prasad) is grievous in nature, but then, the injury suffered by his brother and wife of his brother is not recorded in the order impugned, which amply demonstrates that they did not suffer any grievous injury or else the order



impugned would have recorded the same.

8. Learned A.P.P. opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VII, Gopalganj in connection with Mohammadpur P. S. Case No.297 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

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