

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42701 of 2024

Arising Out of PS. Case No.-181 Year-2023 Thana- RAJEPUR District- East Champaran

1. Harendra Mahto, S/o Vanshi Mahto, R/o vill - Jhitkahiya, P.S. - Rajepur, Distt. - East Champaran
2. Lakhindra Mahto, S/o Vanshi Mahto, R/o vill - Jhitkahiya, P.S. - Rajepur, Distt. - East Champaran
3. Kanju Devi, W/o Manoj Mahto, R/o vill - Jhitkahiya, P.S. - Rajepur, Distt. - East Champaran
4. Shambhu Mahto, S/o Magar Mahto, R/o vill - Jhitkahiya, P.S. - Rajepur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rajepur P.S. Case No. 181 of 2023 registered for the offences punishable under Sections 447, 323, 341, 324, 325, 307, 379, 354, 504, 506 and 34 of the Indian Penal Code.

3. Allegation against the petitioners is that due to previous enmity they have assaulted the informant and her family members by abusing them. It is further alleged that accused Harendra Mahto grabbed the hair of the informant and



dragged her from her house, accused Shambhu Mahto gave blow of spade on her head and accused Kanjoo Devi assaulted husband of the informant on his left hand.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case due to panchayat election and village party politics. There is inordinate delay of 7 days in lodging the FIR without any plausible explanation. As per the impugned order of the learned Session Judge, East Champaran, Motihari, it appears that the injury report of informant was not available in the case diary to support the allegation of informant and injury on Jaylal Mahto, husband of the informant, is simple in nature. Petitioners have no criminal antecedent and they undertake to cooperate in the investigation and trial of this case.

5. Learned APP opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on 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 concerned Court where the case is pending in connection with Rajepur P.S. Case No. 181 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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