

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43033 of 2024

Arising Out of PS. Case No.-139 Year-2024 Thana- RAMNAGAR District- West Champaran

1. Lov Kumar @ Law Mahato son of Rajesh Mahto @ Rajesh Mahato Village- W.No-4, Dhangar Toli Ps- Ramnagar Dist- West Champaran
2. Kush Kumar @ Kush Mahato son of Rajesh Mahto @ Rajesh Mahato Village- W.No-4, Dhangar Toli Ps- Ramnagar Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with
Ramnagar P.S. Case No.139 of 2024 instituted under Sections
147, 148, 149, 341, 323, 307, 504 and 506 of the I.P.C.

3. As per prosecution case, while the informant was
sitting on her door, the named accused persons including
petitioners came there with sharp cut weapon and started
abusing her and on protest, they assaulted the informant. When
the husband of informant came to rescue her, the petitioners are
alleged to have assaulted him with iron *panch* causing injury on
his body.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The F.I.R. has been lodged after four days of the alleged occurrence which creates serious doubt in the prosecution case. He further submits that the petitioners' side had earlier filed Ramnagar P.S. Case No.131 of 2024 against the present informant and her family members for misbehaving and sexual abuse with minor sister of petitioners and only to save themselves, the informant has filed the present case. The injury report of the injured shows that the injured has sustained simple injury. The petitioners are young boys having no criminal antecedent. They undertake to cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bagaha, West Champaran in



connection with Ramnagar P.S. Case No.139 of 2024
corresponding to G.R. No.428 of 2024, subject to the conditions
as laid down in Section 438(2) of the Code of Criminal
Procedure, 1973.

(Sunil Dutta Mishra, J)

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