

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50165 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- SIKTA District- West Champaran

1. Gopi Mahto @ Gopi Kumar Son of Hasan Mahto Village- Sirisiya, P.S.- Sikta, District- West Champaran
2. Hasan Mahto @ Ravindra Mahto Son of Bhanu Mahto Village- Sirisiya, P.S.- Sikta, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nilesh Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 23-07-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are in custody in a case registered for an offence punishable under Sections 323, 324, 341, 307, 504 and 506 and 34 of the Indian Penal Code.

3. As per allegation in the FIR, it is alleged that informant and his family member for the reason of excavation in the land of the informant.

4. Learned counsel for the petitioner submits that petitioners have falsely been implicated in this case. He next submits that the petitioner were excavating on their own land and the informant and her family member started making false objection on such excavation. Petitioners have clean antecedent and they are in custody since 22.04.2024.



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

6. On perusal of the first information report, injury report and impugned order dated 13.06.2024, it appears that the petitioner no.1 assaulted one Mintu Devi and the first injury sustained by Mintu Devi is of simple in nature and other injury is grievous caused by hard and blunt object, on the thumb. Considering the fact that the grievous injury caused on the thumb of Mintu Devi which is not vital part of the body and the fact that there is simple and omnibus allegation against the petitioner no.1 and the allegation of assault is only against petitioner no.2 which is also simple, so I am inclined to grant bail to the petitioners.

7. Let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Mr. Kishore Gourav, Judicial Magistrate, Ist Class, Bettiah, West Champaran in connection with Sikta P.S. Case No. 54 of 2024.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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