

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49841 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Birendra Kumar @ Birendra Mahto @ Laddulal Son of Bhola Mahto
Resident of Village - Mubarakpur, P.O.- Sankh, P.S.- Muffasil, District -
Begusarai.
 2. Vivek Kumar Son of Birendra Kumar @ Birendra Mahto @ Laddulal
Resident of Village - Mubarakpur, P.O.- Sankh, P.S.- Muffasil, District -
Begusarai.
 3. Badal Kumar Son of Birendra Kumar @ Birendra Mahto @ Laddulal
Resident of Village - Mubarakpur, P.O.- Sankh, P.S.- Muffasil, District -
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-08-2024 1. Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Muffasil Police Station Case No. 168 of 2024, dated
12.04.2024, disclosing offences punishable under
Sections 341/323/324/325/307/34 of the Indian Penal
Code.
3. The prosecution case, as per the First Information Report,
is that at 9 PM on 11.04.2024, the petitioner no. 1 and his
wife reached in the room of Ram Nandan Mahto, who is
the brother of petitioner no. 1 and asked him to go out



from the home and after hearing the noise, the informant, her husband and their son tried to intervene, in the mean while, the petitioner no. 3 along with his friends came there, having lathi and danda, and started assaulting the informant and her family members. It has further been alleged that petitioner no. 3 assaulted the informant's husband, Dev Nandan Mahto, by means of spade on his head and further Geeta Devi, wife of petitioner no. 1 assaulted by means of iron-rod on the head of the informant and her daughter-in-law. The sons of the informant, Jitendra and Sikandar, were also assaulted by petitioner nos. 1 and 2.

4. Learned Counsel for the petitioners submits that both the parties are closely related and the petitioner no. 1 is the own brother of the informant's husband and petitioner nos. 2 and 3 are nephews of the informant's husband. He further submits that there is case and counter case and Muffasil Police Station Case No. 169 of 2024 has been lodged by the side of the petitioners against the informant and others. The dispute between the parties is due to the property of Ram Nandan Mahto, who is suffering from paralysis. The injuries caused to the informant, her



husband and sons are simple in nature, which has come during the course of investigation.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are closely related, case and counter case is there and the injuries caused to the victims are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, 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 learned Chief Judicial Magistrate, Begusarai, in connection with Muffasil Police Station Case No. 168 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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