

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63088 of 2024

Arising Out of PS. Case No.-291 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

1. Devendra Mahto S/o- Late Mahendra Mahto R/O - Ramnagar, P.S - Muffasil, District - Saran
2. Harendra Mahto son of Late Mahendra Mahto R/O - Ramnagar, P.S - Muffasil, District - Saran
3. Guddu Kumar @ Guddu Mahto @ Guddu Mahto son of Harendra Mahto R/O - Ramnagar, P.S - Muffasil, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-12-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354, 504, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 2, Harendra Mahto as he was arrested during pendency of the anticipatory bail application.

4. Permission is accorded.

5. Accordingly, the anticipatory bail application is



dismissed as withdrawn with respect to petitioner no. 2 only.

6. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and on account of dispute relating to garbage, it is alleged that the named accused persons including the petitioners came and started assaulting while Harendra Mahto assaulted the informant by knife causing injury on wrist, thereafter Babita held daughter-in-law of the informant and Guddu assaulted the daughter-in-law of the informant by dab on her head.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case on account of a trivial dispute relating to garbage. It is also submitted that since garbage was being thrown by the side of the informant, the same was objected by the petitioners which led to the present occurrence.

8. Learned A.P.P. for the State, Mr. Rabindra Kumar, opposes the prayer for anticipatory bail of the petitioners and submits that there is specific allegation against Guddu Kumar of assaulting the daughter-in-law of the informant by dab causing injury on head and the injury is grievous and is on vital part of the body.

9. After hearing the learned counsel for the parties,



the **petitioner no. 1, Devendra Mahto**, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muffasil P.S. Case No. 291 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

10. **However, the Court is not inclined to extend the privilege of anticipatory bail to petitioner no. 3, Guddu Kumar.**

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

