

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70866 of 2023

Arising Out of PS. Case No.-607 Year-2022 Thana- BARH District- Patna

1. Sudhir Mahatho @ Sudhir Saw @ Sudheer Mahato Son Of Maran Mahato Resident Of Village - Berhana, Shanti Tola, Ward No. 3, Post Office And Police Station - Barh, Sub Division Barh, District - Patna
2. Bandana Devi Wife Of Sudhir Mahatho @ Sudhir Saw @ Sudheer Mahato Resident Of Village - Berhana, Shanti Tola, Ward No. 3, Post Office And Police Station - Barh, Sub Division Barh, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 6 03-04-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State Mr. Chandra Bhushan Prasad.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 506 and 34 of the Indian Penal Code.
3. The officer-in-charge of Barh P.S. along with I.O. of Barh P.S. Case No.607 of 2022 are present in compliance of the order dated 02.04.2024. It has been submitted by the Officer-in-charge of Barh P.S. that the injury suffered by the injured is simple in nature.
4. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no.2 is a woman and on account of dispute relating to children, the present false case came to be instituted with an allegation that the petitioner



no.1 assaulted the husband of the informant by an iron rod, causing injury on the head. It is also submitted that the children of the petitioners and the informant while playing had thrown chilly powder in the eye of the child of the informant, which led to the occurrence. It is also submitted that allegation of throwing chilly powder by the petitioners in the eyes of the informant is exaggerated.

4. Learned A.P.P. Mr. Chandra Bhushan Prasad opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Barh P.S. Case No.607/2022, corresponding to G.R. No.1875/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. The personal appearance of the S.H.O., Barh P.S. along with I.O. of the case is dispensed with.

(Satyavrat Verma, J)

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