

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64549 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- KALYANPUR District- East Champaran

1. Yogendra Mahto Son of Phulgen Mahto Resident of Village- Parsauni Bazid, P.S.- Kalyanpur, District- East Champaran
2. Krishna Mahto @ Krishna Kumar Son of Yogendra Mahto Resident of Village- Parsauni Bazid, P.S.- Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhurendra Kumar
For the Opposite Party/s :	Mr.Bharat Bhushan
	Mr. Bal Govind Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that he along with his friend Chandan were returning home on 26-2-2024 at 10.30 pm from a wedding, when they were intercepted by the accused persons including the petitioners and Yogendra assaulted him by sword causing injury



on head while Rahul, Krishna and Shatrughan assaulted him by an iron pipe causing injury on shoulder and other parts of the body, thereafter Krishna on point of gun snatched his golden chain worth Rs 1,21,000/- while Shatrughan and Rahul took out Rs 50,000/- and gold ring respectively.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that no reason for the occurrence is alleged, which casts an aspersion on the case of the prosecution. It is also submitted that though it is alleged that petitioner No. 1 assaulted the informant by sword causing injury on head and petitioner No. 2 along with Shatrughan are alleged to have assaulted by an iron pipe but then from perusal of the injury report, it would manifest that the same is dated 16-6-2024 when the date of occurrence is alleged to be 26-2-2024. It is next submitted that the injury report at the top records that the injured were examined at 11 p.m. on 24-2-2024 but then it is submitted that from perusal of the signature of the doctor at the end, it would manifest that the date as recorded appears to be 16-6-2024. It is also submitted that it cannot be said that there was slip of pen in recording the date.



5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners and the fact that petitioners are persons with clean antecedent, the petitioners above-named, in the event of their 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) each 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 Kalyanpur P.S. Case No. 54 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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