

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67469 of 2024

Arising Out of PS. Case No.-143 Year-2024 Thana- RIVILGANJ District- Saran

1. Shambhu Mahto Son of Dwarika Mahto Resident of Village - Godna Braham Toli, P.S.- Revelganj District - Saran
2. Prahawti Devi Wife of Shambhu Mahto Resident of Village - Godna Braham Toli, P.S.- Revelganj District - Saran
3. Rina Devi @ Veena Devi Wife of Chandrika Mahto Resident of Village - Godna Braham Toli, P.S.- Revelganj District - Saran
4. Munni Devi Wife of Ambika Mahto Resident of Village - Godna Braham Toli, P.S.- Revelganj District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-10-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.

2. This application, for grant of anticipatory bail, arises out of Rivilganj (Revelganj) PS case no. 143 of 2024, disclosing offences punishable under Section 379 and other allied sections of the Indian Penal Code.

3. The prosecution story, as per the Fardbeyan of the informant, is that on 15.05.2024, petitioners along with other accused persons started abusing and assaulting the informant and his family members. It has further been alleged that the



petitioner no. 1 assaulted Guddu Kumar by means of spade on his head and petitioners no. 2, 3 and 4 assaulted the informant and his family members with danda, bricks and rod etc., due to which, informant's hand was broken.

4. Learned Counsel for the petitioners submits that both parties are co-villagers and there is land dispute between them. Learned counsel further submits that the petitioner's side have also lodged counter case bearing Rivilganj (Revelganj) PS Case No. 140 of 2024 under Sections 341, 323, 325, 307, 504, 506 of the Indian Penal Code. The informant's side brutally assaulted the petitioners and others, due to which, they sustained grievous injury, which would be evident from injury report, annexed as Annexure-4 series. The F.I.R. lodged by the petitioner's side is prior in time to the present F.I.R. He also submits that the injury caused to injured Guddu Kumar does not appear to be serious in nature. Lastly, it is submitted that general and omnibus allegations are levelled against petitioners no. 2 to 3, who are ladies.

5. Having regard to the facts and circumstances of the case and taking into consideration the fact that both parties are co-villagers and petitioners' side including petitioner no. 2 have also sustained injuries, injury caused to injured Guddu Kumar is



not serious in nature and petitioners no. 2, 3 and 4 are ladies, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, 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 Judicial Magistrate, Saran at Chapra in connection with Rivilganj (Revelganj) PS case no. 143 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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