

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74860 of 2024

Arising Out of PS. Case No.-206 Year-2024 Thana- RAXAUL District- East Champaran

1. Madhuri Devi @ Madhu Devi Wife of Jang Bahadur Mahto Resident of Village- Kauwa Dhangad, P.S- Raxaul, District - East Champaran
2. Nitesh Kumar Son of Jang Bahadur Mahto Resident of Village- Kauwa Dhangad, P.S- Raxaul, District- East Champaran
3. Jang Bahadur Mahto Son of Late Shiv Mandal Mahto Resident of Village - Kauwa Dhangad, P.S- Raxaul, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Ranjan, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-11-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Raxaul P.S. Case no. 206 of 2024 registered under sections 307, 323, 341, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while his sister was taking bath, some objects were thrown by the petitioner no.2. Some altercation started. It is further stated that with respect to the same occurrence, two days later the petitioner no.1, petitioner no.3 along with the daughters came and started to abuse and assault injuring the informant and his father.



4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case over a trivial dispute. So far as the occurrence of 10.6.2024 is concerned, there is no allegation against the petitioner no.2. Further, the petitioner no.1 is a lady. The manner of occurrence is other than what has been narrated in the F.I.R.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., there being specific allegation of assault against the petitioner no.3 so far as the occurrence of 10.6.2024 is concerned together with the corresponding grievous injury having been found on the injured as reproduced in the order of the learned trial Court, the Court is not inclined to enlarge the petitioner no.3 Jang Bahadur Mahto on anticipatory bail and the application is rejected.

7. The petitioner no.3, Jang Bahadur Mahto, is directed to surrender in the learned Court below within a period of four weeks.

8. In the facts and circumstances of the case, the petitioner no.1 being a lady and there being no allegation against the petitioner no.2 so far as the occurrence of 10.6.2024



is concerned, it is directed that the petitioner no.1 Madhuri Devi @ Madhu Devi and the petitioner no.2 Nitesh Kumar, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Raxaul P.S. Case no. 206 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari.

(Partha Sarthy, J)

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