

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75656 of 2024

Arising Out of PS. Case No.-105 Year-2023 Thana- GHOGHARDIHA District- Madhubani

1. Shiv Kumar Mahto Son of Batasu Mahto Resident of Village - Pipra, Kamalpur, P.S. - Ghoghardiha, District - Madhubani
2. Batasu Mahto Son of Late Sukhlah Mahto Resident of Village - Pipra, Kamalpur, P.S. - Ghoghardiha, District - Madhubani
3. Sukmariya Devi Wife of Batasu Mahto Resident of Village - Pipra, Kamalpur, P.S. - Ghoghardiha, District - Madhubani
4. Lalki Devi @ Ribha Kumari Wife of Ram Lochan Mahto Resident of Village - Pipra, Kamalpur, P.S. - Ghoghardiha, District - Madhubani
5. Parmila Devi Wife of Ram Lochan Mahto Resident of Village - Pipra, Kamalpur, P.S. - Ghoghardiha, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2024 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Ghoghardiha P. S. Case No.105 of 2023 corresponding to G.R. No.1134 of 2023 under Sections 341, 323, 324, 354(B), 379, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 5 named accused persons including the petitioners



against whom there is allegation of assault to the informant by the petitioners due to which injury took place and also snatched the silver chain of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners have been falsely implicated due to village politics and land dispute.

5. Learned Counsel further submits that the petitioner Nos.3, 4 and 5 are female and nothing incriminating against the petitioner Nos.3, 4 and 5.

6. Learned Counsel also submits that petitioners' antecedent are clean.

7. Learned APP for the State opposes the prayer for bail and submits that the petitioners are named in the F.I.R. and direct allegation of assault against them.

8. In the present facts and circumstances, let the above named petitioner Nos.3 (Sukmariya Devi), 4 (Lalki Devi) and 5 (Parmila Devi) be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class,



Jhanjharpur, Madhubani in connection with Ghoghardiha P. S.
Case No.105 of 2023 corresponding to G.R. No.1134 of 2023,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

9. So far as petitioner Nos.1 (Shiv Kumar) and 2
(Batasu Mahto) are concerned, this Court is not inclined to grant
anticipatory bail to the petitioner Nos.1 and 2, therefore the bail
application of the petitioner Nos.1 and 2 is hereby rejected.

(Dr. Anshuman, J.)

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