

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35302 of 2025

Arising Out of PS. Case No.-233 Year-2020 Thana- MAIRWAN District- Siwan

1. Sanjeev Kumar S/O Babu Lal Mahato Resident of Village- Bishunpura, P.S. Mairwa, Distt-Siwan
2. Babu Lal Mahato S/O Late Dharam Deo Mahato Resident of Village- Bishunpura, P.S. Mairwa, Distt-Siwan
3. Moti Lal @ Moti Lal Mahato S/O Late Dharam Deo Mahato Resident of Village- Bishunpura, P.S. Mairwa, Distt-Siwan
4. Ram Rajiya W/O Late Dharam Deo Mahato Resident of Village- Bishunpura, P.S. Mairwa, Distt-Siwan
5. Kunttee Kumari @ Kunti Devi D/O Babu Lal Mahato Resident of Village- Bishunpura, P.S. Mairwa, Distt-Siwan
6. Kajal Kumari D/O Babu Lal Mahato Resident of Village- Bishunpura, P.S. Mairwa, Distt-Siwan
7. Suganti Devi W/O Babu Lal Mahato Resident of Village- Bishunpura, P.S. Mairwa, Distt-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP appearing for the State.

2. At the outset it is submitted by learned counsel for the petitioner that during pendency of this application, petitioner no. 2 namely Babu Lal Mahato has been arrested and, as such, he seeks permission to withdraw this application.

3. In view of the aforesaid submission, this



application is dismissed as withdrawn only against petitioner no. 2.

4. The instant application for anticipatory bail has been filed by the petitioners except petitioner no. 2 apprehending their arrest in connection with Mairwa P.S. Case no. 233 of 2020 instituted for the offence punishable under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

5. As per allegation in the FIR, on 27.10.2020 while the informant was working at her door in the meantime, all the accused persons laced with lathi, spade, axe etc. came there and started to abuse when her husband made protest, they assaulted them as a result of which both were received injuries.

6. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. After prevailing good sense matter has been compromised between them and compromise petition is brought on record as Annexure P/3. Specific allegation of inflicting axe blow is against Babu Lal Mahato (petitioner no. 2) due to which informant received head injury.

7. Learned APP appearing for the State has opposed



the prayer of Bail.

8. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Mairwa P.S. Case no. 233 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM VII, Siwan subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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