

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86063 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- PIPRAKOTHI District- East Champaran

1. Akhilesh kumar @ Akhilesh Mahto S/O Musafir Mahto Resident of village- Semra Nuniya Dih, P.S.- Turkauliya, District- East Champaran.
2. Vikrama Mahto Son of Jungbahadur Mahto Resident of village- Semra Nuniya Dih, P.S.- Turkauliya, District- East Champaran.
3. Jitendra Mahto @ Jitendra Kumar Son of Vikrama Mahto Resident of village- Semra Nuniya Dih, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-01-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 325, 307, 379, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 16.02.2024 at 5 PM, while son of informant and his two friends were going to see their crops in the meantime, all the F.I.R. named accused persons, including these petitioners, started abusing and assaulting them with fighter, pistol, rod, knife, *lathi* and *danda*. On information, when informant reached there and tried to save his son, he was also assaulted by the accused persons. It is



further alleged that accused persons also took away chain and a black cheque from pocket of son of informant, Rs. 8,000/- from pocket of one Amod Kumar and Rs. 12,000/- and a mobile phone from pocket of one Manish Kumar.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case due to previous enmity. Doctor has found the injuries allegedly caused by these petitioners to be simple in nature. Rest of allegations are ornamental in order to make the case grievous. Petitioner Nos. 2 and 3 have got no criminal antecedents whereas Petitioner No. 1 has got one criminal antecedent in which he is already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances and nature of injuries sustained by the injured, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged 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-
1st, Motihari, East Champaran in connection with Piprakothi P.S.
Case No. 35 of 2024, subject to condition as laid down under
Section 482 of the B.N.S.S..

(Prabhat Kumar Singh, J)

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