

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84981 of 2024

Arising Out of PS. Case No.-153 Year-2024 Thana- HAYAGHAT District- Darbhanga

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1. Shekhar Mahto @ Chandra Shekhar Mahto Son of Late Mahindar Mahto Resident of Village- Dhobopur, Bansara, P.S.- Hayaghat, Dist- Darbhanga
 2. Santosh Mahto Son of Rajendra Mahto Resident of Village- Dhobopur, Bansara, P.S.- Hayaghat, Dist- Darbhanga
 3. Ashok Mahto Son of Rajendra Mahto Resident of Village- Dhobopur, Bansara, P.S.- Hayaghat, Dist- Darbhanga
 4. Dharmendra Mahto @ Dharmendra Kumar Mahto Son of Ram Chandra Mahto Resident of Village- Dhobopur, Bansara, P.S.- Hayaghat, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-01-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Hayaghat Police Station Case No. 153 of 2024, dated 11.09.2024, disclosing offences punishable under Sections 126(2)/115(2)/303(2)/74/352/351(2)/109/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 09.09.2024, in the morning, when the informant was at her home, all the accused persons named in the



First Information Report, including the petitioners, arrived there, having variously armed, and the petitioner no. 4 assaulted the daughter of the informant by means of farsa on her head and other petitioners torn the blouse of the informant, broke the house and took away Rs. 50,000/- kept in the box.

4. Learned Counsel for the petitioners submits that both the parties are agnates and the occurrence has taken place on a petty dispute between them. He further submits that the injury caused to the informant's daughter is simple in nature as would be evident from Annexure P/2. He further submits that the petitioners has got no criminal antecedent and there is two days' delay in lodging of the First Information Report.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are agnates having previous dispute and the injury caused to the informant's daughter is simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest



or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Darbhanga, in connection with Hayaghat Police Station Case No. 153 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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