

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7148 of 2015

Arising Out of PS.Case No. -166 Year- 2014 Thana -BELA District- SITAMARHI

Bijay Mahto @ Bijuli Mahto, son of Sonelal Mahto, Resident of Village-
Bahuarwa, P.S. Bela, District- Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.8824 of 2015

Arising Out of PS.Case No. -166 Year- 2014 Thana -BELA District- SITAMARHI

- 1. Bharat Mahto @ Bharat Kumar, son of Panchu Mahto
- 2. Manohar Mahto @ Manohar Kumar, son of Kamal Mahto
- 3. Ramji Mahto, son of Late Ram Kishun Mahto,
All are residents of village - Bahuarwa, P.S. Bela, District - Sitamarhi.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

(In Cr.Misc. No.7148 of 2015)

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

(In Cr.Misc. No.8824 of 2015)

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. R.P.S Singh, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 26-05-2015 Heard learned counsel for the Petitioners and learned
A.P.P. for the State.

The Petitioners are apprehending their arrest in a case
registered under Sections 147, 148, 149, 341, 325, 324, 307, 447
and 504 of the Indian Penal Code. Subsequently Section 302 of

the Indian Penal Code was added.

In view of the nature of allegations and post mortem examination report as also fair antecedent of the petitioners, let the Petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of four weeks from the date of receipt of this order in connection with Bela P.S. Case No. 166 of 2014 on furnishing bail bonds of Rs. 5,000/- (five thousand) each with two sureties of the like amount each to the satisfaction of Sri Deepak Kumar, learned Judicial Magistrate 1st Class, Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also conditions (a) That one of the bailor will be a close relative of the Petitioners who will give an affidavit giving genealogy as to how they are related with the Petitioners. The bailor will undertake to furnish information to the Court about any change in address of the Petitioners. (b) That the affidavit shall clearly state that the Petitioners are not the accused in any other case and if they are they shall not be released on bail, (c) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for

cancellation of bail on ground of misuse (d) That the Petitioners will give an undertaking that they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, (e) That the Petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Anjana Prakash, J.)

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