

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36671 of 2014

Arising Out of PS.Case No. -33 Year- 2013 Thana -SAHODARA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Akhilesh Mahto Son of Moti Mahto
 2. Moti Mahto Son of Late Shankar Mahto
 3. Tuntun Thakur Son of Late Basdeo Thakur
 4. Saheb Gond Son of Vishwanath Gond All resident of village- Vanshpur
Pipra, P.S.- Sahodara, District- West Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary-I (APP)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 20-02-2015 Heard Mr. Verma learned counsel for the petitioners
and Mr. Dayal APP for the State.

The petitioners, apprehending their arrest in
connection with Sahodara P.S. case no. 33 of 2013 instituted under
Section 307/34 of the Indian Penal Code, have filed the present
application seeking anticipatory bail..

As per allegation the grand son of the informant was
assaulted by three of the accused persons cited in the First
Information Report while the petitioners was seen sitting about
50 ft. therefrom and on seeing the neighbour of the informant
they fled away.

The contention of the petitioners is that even going by the First Information Report there is no overt act assigned to the petitioners. They were found sitting at quite some distance from the place of occurrence where the grand son of the informant was inflicted injuries. The petitioners have no criminal antecedent.

In view of the above, let the petitioners, named above, in the event of their arrest/surrender within four weeks from today before the Court below, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000 (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Sahodara P.S. Case No. 33 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr. P.C. with following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioners.
- (ii) As soon as the charges are framed the petitioners shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive

dates, trial Court shall have liberty
to cancel their bail bonds and secure
their arrest in accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--

