

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52113 of 2015

Arising Out of PS.Case No. -71 Year- 2015 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Kanhaiya Mahto @ Videshi Mahto S/o Late Hiralal Mahto.
 2. Raman Mahto @ Sona Lal Mahto S/o Kanhaiya Mahto.
 3. Suresh Mahto S/o Kanhaiya Mahto.
 4. Pramod Kumar @ Pramod Mahto S/o Kanhaiya Mahto.
 5. Bihari Mahto S/o Late Dharamdeo Mahto.
- All residents of Vill.- Tinkoni, P.S.- Darpa, Dist.- East Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate
For the Opposite Party/s : Mr. Pradip Nr. Kumar , APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 10-11-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Darpa P. S. Case No. 71 of 2015 registered under Sections 147,
148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal
Code.

It is contended that the petitioners have been falsely
implicated in the present case with ulterior motive because
petitioner no. 1 Kanhaiya Mahto had filed Darpa P. S. Case No. 69



of 2015 on 22.07.2015 against the informant and others for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code alleging therein that when he was working at his field, the informant and others came variously armed, abused and assaulted them. The informant assaulted his son with sword on head and one Subhash assaulted his second son on his head with spade, as a result of which both of them fell down and became unconscious. It was also alleged that they also assaulted his wife with fists, legs and slaps and the informant snatched Rs.2000/- from him. One of the accused of Darpa P. S. Case No. 69 of 2015 lodged by the petitioner, namely, Dhrub Mahto has instituted Darpa P. S. Case No. 70 of 2015 against the petitioners after five days of lodging the case against him, informant and others.

Learned counsel for the State has vehemently opposed the application filed on behalf of the petitioners.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioners named above are directed to be released 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 Sri N. K. Priyadarshi, learned

Judicial Magistrate, 1st Class, Raxaul at Motihari, East Champaran
in Darpa P. S. Case No. 71 of 2015/ G.R. Case No. 703 of 2015,
subject to the conditions as laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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