

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51645 of 2015

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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 -Do-
4. Pramod Kumar @ Pramod Mahto S/o -Do-
5. Bihari Mahto S/o Late Dharmadeo Mahto
6. Rajendra Mahto S/o Late Hiralal Mahto All residents of Vill. - Tinkoni,
P.S. - Darpa, Dist. - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Pradeep Nr.Kumar(App)

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CORAM: HON'BLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-12-2015

Heard both sides.

Learned counsel for the petitioners submits that petitioner no. 4 Pramod Kumar @ Pramod Mahto has already been arrested. Accordingly, this anticipatory bail application on behalf of petitioner no. 4 is dismissed as having become infructuous.

Rest of the five petitioners apprehend arrest in a case registered for the offences punishable under sections 307, 324 and other allied sections of the Indian Penal Code.

Dhrub Mahto, the informant made allegation that all the petitioners assaulted him and his nephew Hari Om Prasad causing different injuries to them at 7.00 A.M. in the morning on 21.07.2015.

It is submitted that on the same date and time Umesh Kumar also lodged Darpa P.S. Case no. 71/15 and made

same and similar allegations. Prior to lodging of this case Kanhai Prasad lodged Darpa P.S. Case No. 69/15 against the present informant, Umesh Kumar and others that the accused persons on account of land dispute assaulted him and his family members. It is submitted that the petitioners have already been enlarged on anticipatory bail in connection with Darpa P.S. Case No. 71 of 2015 and the facts of the present case is same and similar to that of Darpa P.S. case No. 71/15. For one occurrence two cases were lodged.

Considering the facts aforesaid, petitioner nos. 1, 2, 3, 5 and 6, above named, in the event of arrest or surrenders in the court below within four weeks from the date of receipt/production of a copy of this order, shall 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 Sri N. K. Priyadarshi, Judicial Magistrate, 1st Class, Raxaul at Motihari in connection with Darpa P.S. Case No. 70 of 2015, G.R. No. 702 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Prabhat Kumar Jha, J)

Amin/-

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