

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 5788 of 2016

Arising Out of PS.Case No. -154 Year- 2015 Thana -RIVILGANJ District- SARAN

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1. Dilip Mahto Son of Sudama Mahto
2. Shivnath Mahto Son of Late Dipti Mahto
3. Shankar Rai Son of Late Raghunath Rai
All are Resident of village - Newaji Tola, Bind Tola, Police Station -
Rivilganj, District - Saran (Chapra)

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Rai

For the Opposite Party/s : Mrs. Sharda Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 22-02-2016 At the very outset, Sri Arun Kumar Rai, learned

counsel for petitioners submits that in paragraph – 4 at page – 3 of
the petition (4th line), in place of “Shyam babu Mahto”, incorrectly
it has been typed as “Shivnath”. He makes a prayer for allowing
him to make correction.

The prayer is allowed.

Heard Sri Arun Kumar Rai, learned counsel for
petitioners and Smt. Sharda Kumari, learned Addl. Public
Prosecutor.

Three petitioners, apprehending their arrest in
Rivilganj P.S. Case No. 154 of 2015 registered for the offence
under Sections 272, 273, 308 and 328 of the Indian Penal Code

and 47(A) of the Excise Act, have prayed for grant of anticipatory bail.

It was submitted by learned counsel for petitioners that petitioners have falsely been implicated due to village rivalry. He submits that ofcourse, in the F.I.R., 40 litres of country made liquor (Mahua) has been shown recovered, the petitioners were named by the co-villager as accused persons, whereas, petitioners were not at all present at the place of occurrence.

In view of nature of accusation, let the aforesaid petitioners, namely; Dilip Mahto, Shivnath Mahto and Shankar Rai in the event of their arrest or surrender before the court below within a period of six weeks from today be enlarged on bail on furnishing bail-bonds of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 8th Saran at Chapra in connection with Rivilganj P.S. Case No. 154 of 2015, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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