

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14013 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -NAWADA District- NAWADA

1. Ajay Kumar son of Kailu Mahto,  
2. Pramod Kumar, son of Shiv Charan Mahto,  
3. Ravi Kumar, son of Kailu Mahto  
4. Satyendra Kumar, Son ov Viseshar Mahto  
5. Vijay Kumar, son of Devi Mahto All are resident of village- Chilaungia,  
P.S.- Nawada Town Kadirganj O.P., District- Nawada

.... .... Petitioners

Versus

1. The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Ashraf Ansari(App)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**

**SHARAN SINGH**

ORAL ORDER

2 18-04-2016

Heard learned Counsel for the petitioners and  
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,  
arises out of Nawada Town (Kadirganj O.P.) Police Station  
Case No. 34 of 2016, disclosing offences under Sections  
341, 342, 323, 325, 307, 379/34 of the Indian Penal Code.

The informant is said to have paid certain  
amount to one Pradeep Kumar on an assurance of good  
return. The petitioner no. 5 is also said to have given  
certain amount to the said Pradeep Kumar. Allegedly,  
Pradeep Kumar initially paid the return to the informant but  
after sometime, he stopped making payment. In connection

with the said dispute, the informant is said to have gone to the house of petitioner no. 5 to enquire about. It is alleged that these petitioners assaulted him because of which he became unconscious.

Learned Counsel for the petitioners appears to be right in his submission that no offence under Section 307 of the Indian Penal Code is, prima facie, made out on the basis of the allegation as contained in the First Information Report. The petitioners have no criminal antecedent, as mentioned in paragraph 3 of this application.

This application is accordingly allowed.

Let the petitioners, namely, Ajay Kumar, Pramod Kumar, Ravi Kumar, Satyendra Kumar and Vijay Kumar, in the event of their arrest or surrender before the Court below within six weeks, be released 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 Chief Judicial Magistrate, Nawada, in connection with Nawada Town (Kadirganj O.P.) Police Station Case No. 34 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the

police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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