

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14888 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -KORHA District- KATIHAR

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1. Mohan Mahto, son of late Ram Pyare Mahto
2. Shushil Mahto @ Shushil Kumar, son of Mohan Mahto
Both are resident of village Bargam Tapu, P.S. Korha, District Katihar
.... Petitioners

Versus

The State of Bihar
.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh
For the Opposite Party/s : Mr. Shakir Ahmad (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 05-05-2016 Heard learned counsel for the petitioners and the learned
Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out
of Korha P.S.Case No. 125/2015, disclosing offences under
section 436/34 of the Indian Penal Code.

Petitioner no.1 and the informant are said to be full
brothers. Petitioner no.2 is son of petitioner no.1.

It is alleged that some miscreants had set on fire, the
house of the informant in the night when he was sleeping. When
he awoke, he saw the accused persons fleeing away.

Learned counsel for the petitioners has submitted that the
petitioners and the informant are on litigating term and therefore, a
false case has been instituted implicating the petitioners.

Considering the nature of accusation, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released 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 the Chief Judicial Magistrate, Katihar in Korha P.S.Case No. 125/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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)

Surendra/-

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