

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18501 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -KORHA District- KATI HAR

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1. Hira Lal Mahto @ Heera Lal Mahto, Son of Late Lakhan Mahto
2. Pappu Mahto, Son of Hira Lal Mahto @ Heera Lal Mahto
3. Jitendra Mahto, Son of Late Sheetal Mahto, All residents of village -
Binji, P.S. Korha, District - Katihar

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 19-07-2016 Heard leaned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Korha P. S. Case No. 34 of 2016, disclosing offences
under Sections 341, 365, 436 and 427/34 of the Indian Penal
Code.

It is alleged against the accused persons that they
set ablaze the informant's house on fire. Allegedly, petitioner no.
3 Jitendra Mahto had taken a sum of Rs. 50,000/- (Rupees fifty
thousand) from the informant in the name of sale of land in
favour of the informant. But he neither executed the sale deed nor
he returned the money which he has received from the informant.
It is also alleged that the accused persons kidnapped the husband
of the informant.

Learned counsel appearing on behalf of the petitioners has submitted that the story of setting ablaze the informant's house has been found to be false. It has further been submitted that completely false allegation has been made that the accused persons kidnapped the husband of the informant. It has been stated in paragraph-3 of the application that the petitioners have no criminal antecedent.

Considering the above submission, this application is allowed. Let the petitioners, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Korha P. S. 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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