

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19672 of 2016

Arising Out of PS.Case No. -452 Year- 2014 Thana -DALSINGHSARAI District- SAMASTIPUR

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1. Tej Narain Mahto Son of Late Lakhan Mahto
2. Parwati Devi Wife of Tej Narain Mahto
Both are resident of village- Ghataho, P.S.- Ghataho, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Praveen

For the Opposite Party/s : Mr. Jitendra Kr. Singh No.1(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-05-2016 Heard Sri Kumar Praveen, learned counsel for the

petitioners and Sri Jitendra Kumar Singh No. 1, learned A.P.P.

Two petitioners, apprehending their arrest in

Dalsingsarai (Ghataho) P.S. Case No. 452 of 2014 registered for

the offence under section 341, 323, 307, 379, 354, 504/ 34 of the

Indian Penal Code , have prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioners

that there was case and counter case in between the parties. First

F.I.R. was lodged from the petitioners' side. He submits that so

far petitioner no. 2 is concerned there is no accusation in the

F.I.R. So far petitioner no. 1 is concerned of -course in the

F.I.R. allegation has been made regarding his participation in the

occurrence but fact remains that during investigation no

accusation was found against the petitioners and police submitted final report in favour of both the petitioners and both were exonerated.

Keeping in view the fact that there is case and counter case as well as the fact that both the petitioners during investigation were exonerated by the police, there is no reason to deny the prayer for bail in the event of arrest or surrender.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let both the petitioners namely Tej Narain Mahto and Parwati Devi be enlarged on bail on furnishing bail bond of Rs. 10000 /- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Dalsingsarai, Samastipur in connection with Dalsingsarai (Ghataho) P.S. Case No. 452 of 2014 subjection to the conditions as contemplated under section 438(2) of the Cr.P.C.

(Rakesh Kumar, J)

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