

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40216 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -SONBERSA District- SAHARSA

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1. Pancho Devi, wife of Late Indradeo Mahto, &
2. Ranjit Mahto @ Ranjit Kumar Mahto, both are resident of village-Maura,
Police Station-Sonbarsha Raj District-Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Satish Kumar Singh, Advocate
For the Opposite Party : Mr. Sri Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend arrest in Sonbarsa Raj P.S.Case
No.65 of 2016 for the offences alleged under Sections 307 and
other allied Sections of the IPC and Section 53(A) of the Bihar
Excise Act, 2016.

The prosecution case is that the informant being the
police party raided the house of petitioner no.1 and found the
petitioner no.2, with the accused persons including accused
Kailash Mahto in an inebriated condition when the said accused
Kailash Mahto was apprehended all the petitioners and other
accused persons tried to rescue him.

It has been submitted by learned counsel for the
petitioners that one of the co-accused Nirmal Devi has since been

granted the privilege of anticipatory bail on similar allegation by a coordinate Bench of this Court in Cr.Misc.No.28859 of 2016 by order dated 25.07.2016 as the main allegation is against accused Kailash Mahto who has since been arrested.

However, learned APP for the State opposes the prayer for anticipatory bail as the petitioners are named in the FIR.

Be that as it may since the other co-accused on similar allegation has been granted the privilege of bail and that the petitioners have no criminal history, let the above named petitioners in the event of their arrest or surrender before the learned court below within a period of eight weeks 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 Sri S.Das, Judicial Magistrate, Saharsa, in connection with Sonbarsa Raj (Kashnagar O.P) P.S.Case No.65 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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