

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8281 of 2016

Arising Out of PS.Case No. -924 Year- 2015 Thana -BIHTA District- PATNA

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1. Ram Sakal Mahto
 2. Shiv Kumar Mahto
Both Son of Late Prem chand Mahto
 3. Ravi Mahto S/o Ram Sakal Mahto
 4. Rahul Mahto S/o Ram Sakal Mahto
- All Residents of Village -Rajpur Po Bihta P.S Bihta, District -Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kant Kumar, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-04-2016 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 447, 354, 379, 504, 325/34 of the Indian Penal Code and 3/4 of the Prevention of Witch (Daain) Practices Act, 1999 registered in connection with Bihta P.S. Case No. 924 of 2015.

3. It is submitted that the petitioners have been falsely implicated owing to past enmity arising from disputes, the parties being co-villagers. The accusations of assault are highly exaggerated as even according to the F.I.R. the treatment of the informant's mother was done at home itself. It is submitted that the accusations under Sections 354 and 379 of the I.P.A. are ornamental and without any basis.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna, in connection with Bihta P.S. Case No. 924 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions :

(i) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioners shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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