

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21197 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -BEERPUR District- BEGUSARAI

- =====
1. Gautam Mahton Son of Gongu Mahto
 2. Manoj Mahton Son of Shekho Mahto
 3. Birju Mahton Son of late Yogi Mahto
 4. Mintu Mahton son of sagar Mahto

All resident of Village Panapur, P.S.- Birpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Dayal

For the Opposite Party/s : Mr. Shailendra Kr. 2(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 24-05-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Birpur P.S. Case No. 26 of 2016 registered under Sections
447, 341, 323, 307, 504 and 379/34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioners that Rita Devi, wife of petitioner no.1 Gautam Mahton
had filed Complaint Case No. 728-C of 2016 in respect of an
occurrence dated 25th March, 2016 at about 10.00 p.m. against the
informant and others under Sections 147, 148, 323, 354-B, 379,
452 and 504/34 of the Indian Penal Code in which all the
petitioners are witnesses. It is further submitted that the story as

alleged in the present FIR is misconceived, concocted, bereft of truth and afterthought in order to save skin from Complaint Case No. 728-C of 2016.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioners, namely, Gautam Mahton, Manoj Mahton, Birju Mahton and Mintu Mahton are directed to 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 the learned Judicial Magistrate 1st Class, Begusarai in connection with Birpur P.S. Case No. 26 of 2016, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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