

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38089 of 2016**

Arising Out of PS.Case No. -71 Year- 2015 Thana -MOKAMAH District- PATNA

- =====
1. Jitendra Kumar Mahto @ Jitendra Kumar
  2. Dharmendra Mahto @ Dharmendra Kumar,
- Both are Sons of Sri Lalit Mahto, Both Resident of Village-  
Makhdumpur, P.S. + District:- Lakhisarai

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ambika Bhagat, Advocate  
For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat, APP

=====

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      17-10-2016                      A supplementary affidavit has been filed on behalf  
  
of the petitioners today in Court. Let it be kept on the record.

Heard learned counsel for the petitioners and the  
  
learned counsel appearing for the State.

The petitioners are apprehending their arrest in  
  
connection with Mokama P.S. Case No.71 of 2015 registered  
  
under Sections 420, 406, 467, 468 and 120B of the Indian  
  
Penal Code.

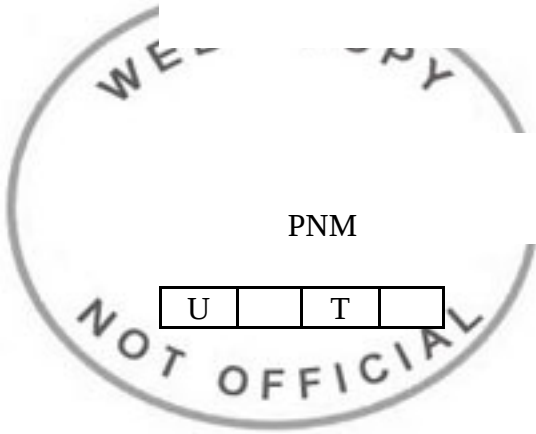
Learned counsel for the petitioners submits that the  
  
present petitioners are neither the Director nor the Deputy  
  
Director, as referred to in the complaint petition, which  
  
subsequently came to be registered as an F.I.R. It is further

submitted that the petitioners were functioning as Agents and are similarly placed as the informant of the present case. He further submits that another such agent had registered a similar case against petitioner no.1, Jitendra Kumar, who has since been extended the privilege of anticipatory bail in Cr.Misc. No.36404 of 2016, vide order dated 17.09.2016.

Having heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State and on perusal of the materials on record, it appears that no specific case has been made out against the present petitioners even if they are treated as Director and Deputy Director. There is no specific allegation of inducement by these two petitioners; rather it is on one Raghunath Mahto and Kashinath Mahto.

In view of such facts and circumstances, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the court of Sri Dipak Kumar, learned Judicial Magistrate, Barh, District-Patna, in connection with Mokama P.S. Case No.71 of 2015, subject to

the conditions as laid down under Section 438(2) of the Code  
of Criminal Procedure.



**(Anjana Mishra, J)**