

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1098 of 2016

Arising Out of PS.Case No. -150 Year- 2015 Thana -SULTANGANJ District- PATNA

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1. Vijendra Mahto, son of Late Vishwanath Mahto,
2. Kundan Kumar
3. Sujit Kumar
Both are sons of Vijendra Mahto. All residents of Mohalla Ghagha Ghat,
Police Station- Sultanganj, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arvind Kumar Mouar,
Mr. Raj Kishore Jha, Advocates
For the State : Mr. M.K.Khare (App)

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 11-01-2016 Heard learned counsel for the petitioners and the

State.

Petitioners apprehend their arrest in a case filed
under Sections 147, 148, 149, 337, 341, 323 307, 353, 427 and
504 of the Indian Penal Code.

It is contended that there was altercation between
two groups and, during the course of lodging of F.I.R., certain
persons protested due to which the first information report has
been lodged and names of the petitioners have been included. In
fact, the petitioner no.1, in view of the situation prevailing had
fled away from the spot leaving his scooty and on that ground



father and the sons have been implicated in this case. It is next contended that the petitioners have falsely been implicated in this case for the reason that they were protesting against the partition approach being adopted by the police and in fact they were not carrying any weapon or even lathi danda. In fact, they have not participated in any manner assaulting the police officer or damaging any vehicle or creating any nuisance. It is contended that antecedent of petitioner no.1 is clean, however, petitioner nos.2 and 3 are involved in Sultanganj P.S. Case No.60 of 2008 under Section 302/34 of the Indian Penal Code in which, it has been submitted that they are already on bail.

Having regards to the facts and circumstances, in the event of arrest/surrender within a period of six weeks from today in Sultanganj P.S. Case No.150/2015, the above named petitioners, Vijendra Mahto, Kundan Kumar and Sujit Kumar shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Sri R. K. Bharti, J.M. 1st Class, Patna City subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure with a further condition that one of the bailors of the petitioners must be the close relative or their family member, who will file affidavit

before the court below giving full genealogy showing his or her relationship with the petitioners. Further, if the petitioners, after their release in this case, are again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of their bail bonds.

(Dr. Ravi Ranjan, J)

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