

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44092 of 2016

Arising Out of PS.Case No. -240 Year- 2015 Thana -SURYAGARHA District- LAKHISARAI

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1. Chandra Shekhar Kumar, Son of Sushil Mahto.
 2. Rajnish Singh, Son of-Rameshwar Kumar.
 3. Bharat Mahto, Son of Late Paro Mahto.
 4. Mukesh Mahto, Son of Suresh Mahto.
- All resident of Village- Jakarpura, P.S.-Suryagarha, District-Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 17-10-2016

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend arrest in connection with
Suryagarha P.S. Case No. 240 of 2015 dated 14.11.2015 instituted
under Sections 341/323/307/379/504/34 of the Indian Penal Code.

The allegation against the petitioners, along with two
others, is of assaulting by *Lathi* and *Danda* and specific against co-
accused Shambhu Singh of taking away Rs. 1,700/- and giving blow
on head.

Learned counsel for the petitioners submits that there
is case and counter case and the case filed by the petitioners' side is



prior in time to that filed by the informant in the present case. Learned counsel submits that no motive has been mentioned in the present case. It is further submitted that against co-accused Shambhu Singh, who is not a petitioner herein, the allegation is both specific of taking away Rs. 1,700/- and giving blow on the head. Learned counsel submits that the injury report discloses a lacerated wound, muscle deep on the left side behind the left ear which has been found to be simple caused by hard and blunt substance. It is further submitted that the petitioners have no criminal antecedent.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in Suryagarha P.S. Case No. 240 of 2015, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973. Further, the petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they

shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J.)

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