

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12294 of 2016

Arising Out of PS.Case No. -718 Year- 2015 Thana -BIHTA District- PATNA

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1. Mohan Mahato, S/o Late Ram Pravesh Mahato, resident of Village Amnabad Ganjpar, P.S. Bihta, District Patna
 2. Ramanuj Mahato, S/o Late Ram Pravesh Mahato, resident of Village Amnabad Ganjpar, P.S. Bihta, District Patna
 3. Upendra Mahato, S/o Late Ram Pravesh Mahato, resident of Village Amnabad Ganjpar, P.S. Bihta, District Patna
 4. Shailesh Mahato, S/o Late Ram Pravesh Mahato, resident of Village Amnabad Ganjpar, P.S. Bihta, District Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rakesh Kumar Samrendra
Mr. Narbadeshwar Prasad Singh, Advocates
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 20-04-2016 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, 324, 504, 325, 379, 307 read with Section 34 of the Indian Penal Code registered in connection with Bihta P.S. Case No. 718 of 2015.

3. It is submitted that the petitioners have been falsely implicated as there is a case and counter case and the accusations are general and omnibus as against as many as 11 accused persons. It is submitted that the injuries sustained by the informant and other persons have been found simple in nature. It

is further submitted that similarly situated co-accused, namely, Shanti Devi, Kiran Devi, Akali Devi @ Dharmshila Devi and Shila Devi have been granted anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 12457 of 2016.

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 twelve weeks from the date of communication of this order, let the above named petitioners be released on provisional anticipatory bail for three months on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, in connection with Bihta P.S. Case No. 718 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

5. The provisional bail of the petitioners shall be confirmed by the learned court below on verification of the fact that informant's side have not received any grievous injury, but if it is found that informant's side received grievous injury, then the petitioners shall surrender and pray for regular bail.

(Vikash Jain, J)

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