

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19836 of 2016

Arising Out of PS.Case No. -105 Year- 2015 Thana -AMNAUR District- SARAN

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1. Harendra Mahto S/o Late Lallan Mahto
 2. Tribhuwan Mahto S/o Late Lallan Mahto
 3. Dukhan Mahto S/o Moshafir Mahto
 4. Sanjeet Mahto S/o Dukhan Mahto
 5. Chandraket Mahto S/o Dukhan Mahto
 6. Rupa Devi alias Rupmati Devi D/o Dukhan Mahto
 7. Mahadeo Mahto S/o Late Jaglal Mahto
 8. Ram Das Mahto S/o late Jaglal Mahto
 9. Kanti Devi W/o Tribhuwan Mahto
 10. Renu Devi W/o Sanjeet Mahto
- All are resident of Village- Khaspatti, P.S.- Amnoure,
District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. K.V. Nand, Adv.

For the State : Mr. Dinesh Singh (APP)

For the Informant : Mr. Dewendra Nr. Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

3 19-05-2016 Heard learned counsel for the petitioners,
learned Additional Public Prosecutor for the State and

learned counsel for the informant.

This application, for grant of anticipatory bail, arises out of Amnour P.S. Case No.105 of 2015, disclosing offences under Sections 147, 148, 149, 323, 324, 307, 386, 297 and 506/34 of the Indian Penal Code.

For an occurrence, said to have taken place on 02.05.2015, the informant lodged a complaint case on 18.06.2015, which is the basis for registration of the present First Information Report.

Learned counsel for the petitioners has submitted that the delay in filing of the complaint petition itself, cast serious doubts over the correctness of allegation made therein. It has further been submitted that for the same occurrence, which was taken place on 02.05.2015, the petitioners had lodged a First Information Report, registered as Amnoure P.S. Case No.46 of 2015, in which the informant of the present case is also an accused. The injuries have not been found to be grievous, as submitted by learned counsel for the petitioners.

Learned counsel for the informant, on the other hand, has opposed the prayer for anticipatory bail of the petitioners and has submitted that the delay has been duly explained in the complaint petition.

However, considering the rival submissions,

advanced on behalf of the parties, as noted above, this application is allowed. Let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Saran at Chapra**, in connection with **Annoure P.S. Case No.105 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners, abovenamed, shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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