

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28446 of 2017

Arising Out of PS.Case No. -90 Year- 2017 Thana -DHURAIYA District- BANKA

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1. CHANDAN KUMAR @ CHANDAN MAHTO, son of Rajendra Mahto,
resident of Village- Uchdiha, Police Station- Dhoraiya, District- Banka.
2. Mukesh Panjiyara @ Akash Kumar, son of Nageshwar Panjiyara,
resident of Village- Namotari, Police Station- Godda, District- Godda.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Ms. Neelam Kumari, Advocate

For the Opposite Party/s : Mr. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-07-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Dhoraiya P.S.Case No. 90 of 2017 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 337, 338, 332, 333, 353, 188, 295CA, 427, 504 and 506 of the Indian Penal Code.

Allegation as per FIR is against the petitioners is that they have obstructed in official duties of the informant and further allegation the petitioners is of assaulting and abusing the police party.

It has been submitted on behalf of the petitioners that petitioners are not named in the FIR and their names transpire on the basis of report of spy and except that there is nothing against the petitioners and they are in custody for more than two months.

Heard learned APP also.



Having heard both sides and considering the aforesaid facts and circumstances, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in connection with Dhoraiya P.S.Case No. 90 of 2017, subject to the conditions that :-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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