

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14505 of 2017

Arising Out of PS.Case No. -277 Year- 2016 Thana -BARGANIA District- SITAMARHI

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1. Rajesh Mahto Son of Late Mukh Lal Mahto,
2. Ashok Kumar, Son of Rajesh Mahto Both R/o Village- Parsauni, Ward
No. 10, P.S.- Baирginia, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-03-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Baирginia
P.S. Case No. 277 of 2016 instituted for the offence under sections
147, 148, 149, 341, 323, 307, 325 and 379 of the Indian Penal
Code.

It has been submitted that as per Fard-beyan the
petitioners are alleged to be a member of unlawful assembly.
There is no specific allegation against these petitioners of
assaulting the informant.

From the Fard-beyan, it appears that there is specific
allegation against co-accused Upendra Mahto of assaulting the
informant with Garasa and co-accused Baijnath Mahato of



assaulting brother of the informant with rod.

These petitioners are alleged to be members of unlawful assembly.

It is mentioned in para-3 that the petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners named above, within six weeks from today, in connection with Bairginia P.S. Case No. 277 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J)

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