

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15994 of 2017

Arising Out of PS.Case No. -265 Year- 2016 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Sandeep Kumar @ Ram Shaju Mahto, Son of Birendra Mahato,
 2. Dukhi Mahato, Son of Late Mohit Mahato,
 3. Birendra Mahato, son of Rudal Mahato,
 4. Usha Devi, wife of Om Ramprit Mahato,
 5. Sudhiya Devi, wife of Chirku Mahato, All resident of Village-
Ojhwalia, P.S.- Yogapatti, Distt- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-05-2017

Heard learned counsel for the petitioners and

the State.

The petitioners apprehend their arrest in
Yogapatti P.S. Case No. 265 of 2016 instituted for the offence
under Section (s) 147, 148, 149, 323, 324, 307, 447, 504, 379 of
the Indian Penal Code.

It is alleged that petitioner No. 2 gave lathi
blow on the back side of the informant and petitioner No. 3 gave
lathi blow on the head of brother of the informant Bhim Mahato.
There is no allegation of any specific overt act of assault against



petitioner Nos. 1, 4 and 5.

The injury reports of the injured have been annexed as Annexure-2 series, which suggests that doctor has found injuries as sustained by the informant and his brother Bhim Mahato to be simple in nature.

It has been submitted on behalf of the petitioners that there is case and counter case between the parties.

In the facts and circumstances of the case, the prayer of the petitioners for anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, above named, within six weeks from today in connection with Yogapatti P.S. Case No. 265 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, subject to the conditions as laid down under Section 438(2) of Cr.P.C., with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to
move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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