

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2150 of 2017

Arising Out of PS.Case No. -101 Year- 2017 Thana -DARAUNDHA District- SIWAN

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1. Sharda Nand Mahto, Son of Late Nageshwar Mahto,
2. Mukesh Mahto @ Mukesh
3. Haresh Mahto @ Haresh Kumar
4. Raju Mahto @ Raju Kumar 2 to 4 are Sons of Sharda Nand Mahto,
5. Pratima Kumari D/o Sharda Nand Mahto, All R/o Village- Abhui, P.S.- Daraunda, District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bijay Prakash Singh

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-08-2017 The appellants seeks pre arrest bail in connection with Daraunda P.S. Case No. 101 of 2017, registered for offences punishable under Sections 341, 323, 504, 427 and 34 of the Indian Penal Code and Section 3(i)(r)(s) of SC/ST Act.

Allegation against the appellants is of abusing the informant and also assaulting him.

It has been submitted on behalf of the appellants that out and out false and concocted allegations have been made against the appellants in the background of land dispute and earlier proceeding under Section 107 Cr.P.C. was also initiated against the informant and whatever allegation of abuse by the appellants is



there that is inside the house of the informant. Further no injury has been caused to the informant.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case and nature of allegation, this appeal is allowed, let the appellants above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Siwan, in connection with Daraunda P.S. Case No. 101 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellants shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part two appear before the police on two consecutive dates



without showing any genuine reasons, the
prosecution will be free to move for
cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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