

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8703 of 2017

Arising Out of PS.Case No. -176 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

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1. Shanti Devi Wife of Suresh Mahto
 2. Suresh Mahto Son of Late Laldeo Mahto
 3. Santosh Kumar Mahto Son of Suresh Mahto
 4. Rekha Devi Wife of Jodha Mahto
 5. Jodha Mahto Son of Late Laldeo Mahto
 6. Fuldeo Mahto Son of Late Bishwasi Mahto
 7. Munna Mahto Son of Fuldeo Mahto
 8. Bhoop Mishra Son of Bharthari Mishra
 9. Nilesh Mishra Son of Bhoop Mishra
 10. Pankaj Kumar Pandey Son of Gangotri Pandey All Resident of Village-Bishwambar Pur, P.S.-Saraia, O.P.-Jaintpur, District-Muzaffarpur, Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Chandra, Adv.
	:	Mr. Amit Pandey, Adv.
	:	Mr. Prabhat Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Krishna Prasad Singh, Sr. Adv.
	:	Mr. D.N. Tiwary, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

8 11-07-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Saraia Police Station Case No. 176 of 2016, disclosing offences under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against these



petitioners and no specific overt act is attributed to them. In fact, this case is a counter blast of Sarai P.S. Case No. 171 of 2016 which was lodged against the informant for kidnapping of the victim Chanchala Kumari. The instant case has been lodged after lapse of five days without explaining plausible delay only to harass the petitioners. The doctor has opined that the injury sustained by the informant side is simple in nature which is evident from paragprh-28 of the case diary. Hence, the petitioners who are of clean antecedent deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on 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 Sub Divisional Judicial Magistrate, West Muzaffarpur, in connection with Saraia Police Station Case No. 176 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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