

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.442 of 2017

Arising Out of PS.Case No. -136 Year- 2016 Thana -SAKRA District- MUZAFFARPUR

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1. Anil Kumar Mahto Son of late Nandlal Mahto
2. Umesh Mahto Son of late Nand Lal Mahto Both Resident of Village-
Korigama, P.S.- Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-01-2017 Heard the parties.

This application is for grant of anticipatory bail in connection with Sakra P.S.Case No.136 of 2016 for the offence under Sections 461, 379, 353 and 188 of the Indian Penal Code.

It is submitted on behalf of the petitioners that on 14.5.2016, the Tea Shop of the petitioner was sealed by the police but on 16.5.2016 the accused persons i.e. petitioners broke the same, however, as a matter of fact, no case was lodged in respect to that occurrence happened on 14.5.2016 and there is nothing available on the record and the petitioners are brothers and except that both are co-accused in one more case but apart from that there is nothing against the petitioners

Heard learned A.P.P. also.



Having heard both sides. In view of the fact that there is allegation against the petitioners that they broke the seal of the shop made by the police on 14.5.2016 and submission of the petitioners that for the occurrence happened on 14.5.2016, no case was lodged against the petitioners, let the petitioners, above named, surrender before the court below, who will examine this aspect of the matter as to whether any case was lodged in connection with occurrence on 14.5.2016 and after verifying the same, the court below will dispose of the application for regular bail, if any filed by the petitioners without being prejudiced by the order of this Court preferably on the same day.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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