

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51299 of 2017

Arising Out of PS.Case No. -78 Year- 2017 Thana -KALYANPUR District- SAMASTIPUR

- =====
1. Ghan Shyam Mahto, S/o Sita Ram Mahto
 2. Urmila Devi, W/o Sita Ram Mahto,
 3. Mala Devi, D/o Sita Ram Mahto
 4. Pooja Devi, W/o Radheshyam Mahto
 5. Bharti Devi @ Aarti Devi @ Bharti, W/o Ghan Shyam Mahto, All resident of Village- Dhruvgama, P.S. Kalyanpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Smt. Asha Devi, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kalyanpur P.S. Case No. 78 of 2017 instituted for the offence under Sections 341, 323, 324, 379, 307, 354 and 504/34 of the IPC.

It has been submitted on behalf of the petitioners that there is specific allegation of assault against co-accused Sita Ram Mahto and Radhe Shyam Mahto and allegation against the other accused is general and omnibus. It has been mentioned in impugned order that the injury report has not been collected by the police as the same was not made available to the I.O. from D.M.C.H. and P.M.C.H.

From the written report, it appears that there is general



and omnibus allegation against the petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount in connection with Kalyanpur P.S. Case No. 78 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Samastipur subject to condition as laid down u/S 438 (2) of the 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 bonds of the petitioners and (3) if the 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)

khushbu/-

U		T	
---	--	---	--

