

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56374 of 2017

Arising Out of PS.Case No. -103 Year- 2017 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Rampat Mahato, Son of Late Rehan Mahato,
2. Laxman Mahato, Son of Late Ratan Mahato,
3. Bhusan Mahato, Son of Lal Bahadur Mahato, null
4. Manager Mahato, Son of Lal Bahadur Mahato,
5. Jitendra Mahato, Son of Rampat Mahato,
6. Kanti Devi, Wife of Rampat Mahato,
7. Bigani Devi, Wife of Lal Bahadur Mahato,
8. Saraswati Devi, Wife of Laxman Mahato, All are residents of Village-
Kurwa Mathiya Tola Parsauna, Police Station- Chanpatia, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Chanpatia P.S. Case No.
103 of 2017 instituted for the offence under Sections-147, 148, 149,
341, 323, 324, 308, 354(B), 447, 448, 380, 504, 506 of the Indian Penal
Code.

It is alleged in the written report that accused persons
including the petitioners, after entering into the house of the informant,
assaulted the informant and his family members by means of *Farsa* on
the head.

Learned counsel for the petitioner has submitted that



petitioners have been falsely implicated in this case due to land dispute. As per injury report, injuries are found to be simple in nature. There is general and omnibus allegation against the petitioner.

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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Chanpatia P.S. Case No. 103 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-V, Bettiah, West Champaran 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 bond of the petitioner 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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