

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53555 of 2017

Arising Out of PS.Case No. -158 Year- 2017 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Mukesh Kumar Mahto S/o Phulgen Mahto Resident of Village-Ohri Bazar, P.S.-Jaleshar Diss-Mahthauri (Nepali).
2. Sunil Kumar Chaudhary S/o Rama Nand Choudhary Resident of Village-Bejalpura P.s. jaleshar Dist-Mahthauri (Nepal).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2017 Heard the parties.

The petitioners seek regular bail in connection with Sadar (mabbi o.p.) P.s. Csa No.158 of 2017 registered for offences punishable under Sections 323, 324, 325, 353, 307, 40`, 413, 414, 467, 468, 471, 420 and 120B of the Indian Penal Code.

Allegation against the petitioners is that one stolen motorcycle was recovered from the possession of the petitioners and thereafter the people assembled and the petitioners along with others have assaulted the police personnel.

Submission of the learned counsel for the petitioners is that no specific allegation of assault is mentioned against the petitioners. He has no criminal antecedent and they are in custody for about seven months.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Darbhanga in connection with Sadar (Mabbi o.p.) P.S.Case no.158 of 2017.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bond.
- (iv) The petitioner will appear before the local police station of his area in the first week of each month for a period of one year so that the police may watch his conduct, otherwise his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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