

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9922 of 2017

Arising Out of PS.Case No. -116 Year- 2016 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

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1. Awadesh Mahto S/o Darwari Mahto
2. Subesh Mahto S/o Tanikan Mahto Both Resident of Village-Sadha, P.S.-
Sarmera, District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.
Mr. Satya Prakash

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-03-2017 Heard the parties.

This application has been filed in connection with Sarmera
P.S. Case No.116 of 2016 for the offence under Sections 147,
149, 152, 341, 323, 332, 333, 337, 353, 307, 427 & 504 of the
Indian Penal Code.

It is submitted on behalf of the petitioners that except that
they were only members of a mob and they are named in the F.I.R.
also there is no specific allegation against the petitioners.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that no specific
allegation has been alleged against the petitioners, as they were
only members along with large number of other accused persons,



let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released 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 C.J.M., Nalanda at Bihar Sharif in connection with Sarmera P.S. Case No.116 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

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 investigation of the case and make available as and when required by the Police otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed

(Vinod Kumar Sinha, J)

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