

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20930 of 2017

Arising Out of PS.Case No. -63 Year- 2016 Thana -VIDYAPATINAGAR District- SAMASTIPUR
=====

1. Kamal Mahto @ Kamal Mahato @ Kamla S/o Sukhdeo Mahto
2. Santosh Mahto @ Santosh Mahato S/o Pashuram Mahto
Both Resident of Village- Bahadurpur, Kacha, P.S.- Ghatho, District-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Sharma
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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 12-07-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their
arrest in connection with Vidyapatnagar (Ghatho) P.S. Case No.
63 of 2016 registered for offences under sections 341, 323, 307,
379, 504, 506/34 of the Indian Penal Code.

As per prosecution, an allegation has been made that
after some dispute, the accused persons, namely, Kamal Mahto
and Santosh Mahto assaulted the victim girl and also abused her.

This Court finds that neither there is any specific
allegation against the petitioners nor the First Information Report
discloses the nature of weapon which has been used against the



victim except a statement of assault and abuse against the petitioners.

Looking to the entire facts and circumstances of the case, let the petitioners, namely, Kamal Mahto @ Kamal Mahato @ Kamla and Santosh Mahto & Santosh Mahato, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Y.K. Singh, learned Judicial Magistrate, 1st Class, Dalsignsarai, Samastipur in connection with Vitayapatinagar (Ghatho) P.S. Case No. 63 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shivaji Pandey, J)

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