

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40384 of 2017

Arising Out of PS.Case No. -224 Year- 2016 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Jhunna Mahto, Son of Ramchandra Mahto, Resident of Village- Bankat,
Tiwari Tola, Police Station- Paharpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Paharpur P.S. Case No. 224
of 2016 instituted for the offence under Sections-307, 379 & other minor
Sections of the Indian Penal Code.

It is alleged that this petitioner along with co-accused Madan
Mahto assaulted the daughter-in-law of the informant with Farsa on her head.
There is also allegation against this petitioner that he took Rs. 5,000/- from
pocket of the informant.

It has been submitted that co-accused Madan Mahto with similar
allegation has been granted anticipatory bail by a coordinate bench of this
court vide order dated 27-04-2017 passed in Cr. Misc. No. 6628 of 2017. In
the aforesaid case, case diary was called for and the coordinate bench has
mentioned that the injury has been found to be simple in nature, caused by
hard and blunt substance and no sharp cutting injury has been found on the
person of Lalsa Devi, daughter-in-law of the informant.



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 petitioner named above in the event of his 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 in Paharpur P.S. Case No. 224 of 2016 to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari 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) petitioner 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 petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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