

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45516 of 2017

Arising Out of PS. Case No.-300 Year-2017 Thana- TURKAULIYA District- East
Champaran

-
1. Umesh Mahto, Son of Late Jhakhri Mahto,
 2. Rameshwar Mahto, Son of Late Jhakhri Mahto,
 3. Sonu Mahto, Son of Umesh Mahto,
 4. Uma Shankar Mahto, Son of Rameshwar Mahto,
 5. Sunil Mahto, Son of Rameshwar Mahto
 6. Anil Mahto, Son of Rameshwar Mahto All Resident of Village-Semra Belwatia, Police Station-Turkauliya, District-East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate
For the Opposite Party/s : Mr. NITYANAND, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 323, 324, 341, 307, 354, 379, 447, 504, 506 of the Indian Penal Code and later on Section 302 of the I.P.C. was added.

Prosecution case, in short, is that the accused persons including the petitioners armed with deadly weapons came and assaulted the informant and torn her clothes. When her husband came to save her, they brutally assaulted him, as a result of which he received head injury and blood started oozing.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is admitted land dispute between the parties. Both the parties are agnates. The F.I.R. has been instituted after 18 days of the alleged occurrence. The death has taken place after 14 days after the institution of the F.I.R. There is no postmortem report to suggest the allegations made in the F.I.R.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Turkauliya P.S. case No.300 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

