

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62402 of 2017

Arising Out of PS.Case No. -361 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ

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1. Bikrama Mahto @ Bikrama Prasad, son of late Gahaul Mahto
 2. Bishun Mahto @ Bishnu Mahto, son of Bikrama Mahto
 3. Mahesh Mahto, son of Bikrama Mahto
 4. Shivji Mahto, son of late Gahaul Mahto
 5. Bhim Mahto, son of Shivji Mahto

All are resident of Mathia, P.S. (Town) Gopalganj, Distt. Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratnakar Pandey, Advocate.

For the Opposite Party/s : Mr. Ram Bachan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Gopalganj (Town) P.S. Case No. 361 of 2017** instituted for the offence under Sections 302/34 of the Indian Penal Code.

It has been submitted that there is specific allegation against co-accused Tunna Mahto and Jhunna Mahto of assaulting the informant and his family members. There is general and omnibus allegation against these petitioners. It has further been submitted that other co-accused persons with similar allegation have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 30.11.2017 passed in Cr. Misc. 49825 of



2017.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Gopalganj (Town) P.S. Case No. 361 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Gopalganj**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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