

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40566 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Somprakash Mahto, Son of Late Lakshmi Mahto,
 2. Biru Mahto Son of Balchan Mahto,
 3. Birendra Mahto Son of Balchan Mahto,
 4. Akhilesh Mahto Son of Ramayan Mahto,
 5. Suraj Mahto Son of Ramayan Mahto,
 6. Manindra Mahto Son of Baliram Mahto,
 7. Arjun Mahto Son of Balchan Mahto,
 8. Uma Devi W/o Somprakash Mahto,

All are R/o village- Bakhari, P.S.- Gaunaha, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-09-2017 Heard the learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioner apprehend their arrest in connection with
Gaunaha P.S. Case No.46 of 2017 instituted for the offence under
Sections 147, 148, 149, 323, 324, 308, 379, 448 of the Indian
Penal Code.

There is general and omnibus allegation against the
petitioner. The injury report has been annexed as Annexure '2'
wherein Doctor has found simple injury on the person of the
injured caused by hard and blunt substance. The learned counsel
for the petitioner has submitted that injury found on Tetar Mahto
does not match as alleged in the written report.



The opposite party has appeared and oppose the prayer for bail. He has submitted that chargesheet has already been submitted.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that all the petitioners named above in the event of their 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) each with two sureties of the like amount each in connection with Gaunaha P.S. Case No.46 of 2017 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, District-West Champaran, 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) 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 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 petitioners.

Sanjeev/-

(Sanjay Priya, J)

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