

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47305 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -BARAULI District- GOPALGANJ

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1. Rajan Mahto @ Rajan Kumar Mahto
2. Niraj Mahto alias Niranjan Kumar Mahto alias Niranjan Mahto both are sons of Ramakant Mahto
3. Parmeshwar Mahto son of Kabdena Mahto
4. Dharmendra Mahto alias Dharmendra Kumar son of Kapildeo Mahto
5. Rajesh Mahto son of Rajendra Mahto
6. Sandesha Mahto alias Sandesh Mahto son of Keshav Mahto All are residents of village - Rupanchhap, Police Station - Barauli, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Barauli P.S. Case No. 64 of 2017 instituted for the offence under Sections-307, 379 & other minor Sections of the Indian Penal Code.

From the written report, it appears that there is no any allegation of specific overt act against all these petitioners. In the written report, there is allegation of assault against co-accused Ramakant Mahto, Minu Mahto and Niranjan Mahto.

Learned Sessions Judge has mentioned in the impugned order that during course of treatment, Kanhaiya Mahto died and subsequently, Section-302 of the IPC was also added. There is



allegation against co-accused Niranjan Mahto of pressing the neck of nephew of informant Kanhaiya Mahto.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that 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) with two sureties of the like amount each in connection with in Barauli P.S. Case No. 64 of 2017 to the satisfaction of learned Additional Chief Judicial MagistrateXIV, Gopalganj 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 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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