

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56130 of 2017

Arising Out of PS.Case No. -207 Year- 2016 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Sumitra Devi, Wife of Sheo Chandra Mahto,
2. Lakhindra Mahto, son of Late Ram Chandra Mahto,
Both Resident of Village- Bathana, Police Station- Kesariya, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate.

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Kesariya P.S.**

Case No. 207 of 2016, G.R. No. 3986 of 2016 instituted for the offence
under Sections 147, 148, 149, 341, 324, 323, 325, 307, 379, 504 and
506 of the Indian Penal Code.

As per written report there is specific allegation against
co-accused Sheo Chandra Mahto of assaulting the informant with rod
on her head. These petitioners are wife and son of Sheo Chandra
mahto.

Learned counsel for the petitioner has submitted that
petitioner No. 1 is wife of Sheo Chandra Mahto. There is allegation
against petitioner No. 1 that she caught hold the hair of the informant.
There is no allegation of overt act against petitioner No. 2.



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 **Kesariya P.S. Case No. 207 of 2016, G.R. No. 3986 of 2016**, 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 **Additional Chief Judicial Magistrate-XI, East Champaran at Motihari**, 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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