

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31707 of 2017

Arising Out of PS.Case No. -253 Year- 2016 Thana -MUFFASIL District- WEST
CHAMPARAN(BETTIAH)

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1. Mohan Mahto, S/o Late Jiut Mahto,
2. Bhikhari Mahto, S/o Late Lakhraj Mahto,
Both resident of Village- Hira Pakad, P.S.- Manuapul, District- West
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate.
For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-07-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Bettiah (M)
Manuapul P.S. Case No. 253 of 2016 instituted for the offence
under Sections 147, 148, 149, 341, 323, 307, 504 of the Indian
Penal Code and Section 27 of the Arms Act

As per written report, on account of election dispute,
the petitioners along with other accused persons as named in the
written report arrived armed with deadly weapons and started
pelting stones on the house of the informant and his family
members. In the meantime, petitioner No. 1 made three rounds of
firing, but nobody has sustained injury.



In this manner, from the written report it is apparent that occurrence has taken place on account of election dispute. A counter case has also been filed by petitioner No. 1 against the informant and his other family members vide Bettiah (M) Manuapul P.S. Case No. 255 of 2016.

Learned counsel for the opposite party No. 2 has appeared and opposed the prayer for anticipatory bail of the petitioners.

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 Bettiah (M) Manuapul P.S. Case No. 253 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 Chief Judicial Magistrate, Bettiah, West Champaran, 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.

S.Ali/-

(Sanjay Priya, J)

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