

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16387 of 2017

Arising Out of PS.Case No. -469 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA
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1. Indal Kumar @ Indal Kumar Mahto, S/o Ram Pukar Mahto,
2. Rajesh Mahto @ Rajesh Kumar Mahto, S/o Ram Pukar Mahto,
3. Ashok Mahto, S/o Kallar Mahto,
4. Ranjana Devi, W/o Rajesj Mahto @ Rajesh Kumar Mahto,
5. Sulekha Devi, W/o Ram Pukar Mahto, All residents of Village-
Makhnaha, P.S.- K.Nagar (Sri Nagar), District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-04-2017 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor.

The petitioners pray for anticipatory bail in connection with K. Nagar (Sri Nagar) P.S. case no. 469 of 2016 registered for the offence punishable under Sections 307, 380, 384 and other sections of the Indian Penal Code.

It is submitted on behalf of petitioners that though the petitioners are named in the FIR but the FIR has been instituted against 51 named accused persons and 100 unknown accused persons. It is further submitted that so far allegation is concerned, allegation of assault is against other co-accused and though there is allegation of assault against petitioner no. 2 but FIR itself shows that nobody has injured and petitioner no. 5 is a



lady and they are arrested in connection with encroachment of disputed land.

Heard learned A.P.P. also.

Having heard both sides. Considering the fact that the abovestated facts are not controverted by the learned APP, the anticipatory bail application of petitioners is allowed and they, in the event of arrest/ surrender before the court below within four weeks from today, be enlarged on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with K. Nagar (Sri Nagar) P.S. case no. 469 of 2016 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a condition that bailors should be the local one having sufficient property within the jurisdiction of learned court below and with further condition that petitioners will cooperate and assist in the investigation of the case and if they fail to assist the investigating officer, the prosecution shall be at liberty to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J.)

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