

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55575 of 2017**

Arising Out of PS.Case No. -260 Year- 2017 Thana -HARSIDHI District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. BHUALI MAHTO @ BHUWALI MAHTO, S/o late Budhu Mahto,
  2. Rahul Kumar @ Rahul Mahto, S/o Bhuali Mahto @ Bhuwali Mahto,  
both are r/o village- Kritpur English, P.S.- Harsidhi, District- East  
Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party/s : Smt Indu Kumari Srivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2/ 23-11-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Harsidhi P.S.**

**Case No.260 of 2017** instituted for the offence under Section(s)

307 and other allied Sections of the Indian Penal Code.

There is allegation against petitioner no.1 of assaulting son of the informant with iron rod on account of which he sustained injury on his right leg. Allegation against petitioner no.2 is of assaulting the informant with *lathi* on his right shoulder.

Injury report of both injured have been annexed as Anenxure-2, wherein, doctor has found all the injuries to be simple in nature. It is mentioned in para 3 that the petitioners



have clean antecedents.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Harsidhi P.S. Case No.260 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Motihari, East 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.

(Sanjay Priya, J)

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