

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52249 of 2017

Arising Out of PS.Case No. -250 Year- 2017 Thana -KUDHNI District- MUZAFFARPUR

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1. Doman Mahto,
2. Ashok Mahto,
 Both sons of Sitaram Mahto,
3. Pradeep Mahto,
4. Ashok Kumar,
 Both sons of Late Krishna Mahto,
5. Raju Kumar @ Raju Mahto, son of Late Sonelal Mahto
 All resident of village- Mankauli, P.S.- Kurhani (Fakuli O.P.), District-
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Sinha, Advocate
For the State : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 19-12-2017 Heard learned counsel for the petitioners, learned
counsel for the informant and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with
Kudhani (Fakuli) P.S. Case No.250 of 2017 registered under
Sections 436, 427 and 120B of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner
that during pendency of the present application, petitioner no.5
Raju Kumar @ Raju Mahto has already been apprehended.

In that view of the matter, his application for grant of
pre-arrest bail is disposed of as infructuous.



So far as other petitioners are concerned, it is submitted by the learned counsel for the petitioners that they have been made accused only because of pre-existing enmity and institution of a case vide Kurhani (Fakuli O.P.) P.S. Case No.280 of 2016 dated 22.09.2016 by the mother of petitioners no.1 and 2 against one Mukesh Kumar son of the informant of the present case on the allegation that he had murdered the brother of petitioners no.1 and 2.

Having regard to the nature of allegation and the submissions made by learned counsel for petitioners no.1 to 4, in the event of arrest or surrender before the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Mr. Nayan Kumar, learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Kudhani (Fakuli) P.S. Case No. 250 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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