

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31161 of 2018

Arising Out of PS. Case No.-33 Year-2009 Thana- PAHARPUR District- East Champaran

1. Arun Mahto @ Arun Prasad, S/o Bihari Prasad , R/o Vill.- Satahan, P.S.- Paharpur, Distt.- East Champaran.
2. Dinesh Prasad @ Dinesh S/o Shri Kishun Mahto, R/o Vill.- Parsauni, P.S.- Paharpur, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore

For the Opposite Party/s : Mr. Narendra Kumar Singh APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Paharpur P.S. case no. 33 of 2009 instituted for the offence under Section(s) 147, 148, 149, 323, 324, 337, 341, 325, 307,353,436, 427 and 379 of the Indian Penal Code, Section 27 of the Arms Act and Section 3/5 Damage of Public Property Act..

It is submitted that petitioner has clean antecedents. He is named in the written report as member of the unlawful assembly.

In the written report, it is alleged that a truck has dashed the boy and he died on account of the aforesaid accident. 300 people assembled and blocked the road. Petitioner is named as one of the member of the unlawful assembly.



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 Paharpur P.S. case no. 33 of 2009, 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 the CJM, 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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