

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8955 of 2018

Arising Out of PS.Case No. -97 Year- 2017 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

=====

1. Manoj Kumar @ Chhotan Mahto
2. Binod Kumar @ Binod Mahto Both Sons of late lalji Mahto Both
Resident of Village Bhatahar, P.S. Tharthari, Distt. Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman

For the Opposite Party/s : Mr. Sri Bharat Lal

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-03-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners submits that
petitioner no.1 has already been arrested by the police. He seeks
permission to withdraw this application against him.

Permission is accorded.

The present application for anticipatory bail on behalf of
petitioner no.1 stands dismissed as withdrawn.

Petitioner no.2 apprehends his arrest in Tharthari P.S.
Case No.97 of 2017 for the offence under Sections 341, 323, 353,
307, 504/34 of I.P.C. and Section 27 of the Arms Act.

In the written report there is allegation of assaulting the



informant against petitioner no.1, Manoj Kumar.

Learned counsel for the petitioners has filed supplementary affidavit today stating that two cases are pending against the petitioners in which they are on bail.

It has been submitted that there is no specific allegation of assault against petitioner no.2, Binod Kumar @ Binod Mahto.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the A.C.J.M., Hilsa (Nalanda), in Tharthari P.S. Case No.97 of 2017 subject to the conditions as laid down under Section 438(2) of Cr.P.C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall co-operate 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 bonds of the petitioner and (3) if



petitioner 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 petitioner.

AnilKrSinha/-

(Sanjay Priya, J)

U			
---	--	--	--

