

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19601 of 2018

Arising Out of PS.Case No. -205 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Devendra Mahto, S/o Ram Nath Mahto,
2. Jitendra Mahto S/o Shivrath Mahto,
3. Sudama Kuwer W/o Ram Nath Mahto, All are R/o Village- Pakariya,
P.S.- Paharpur, 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

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Paharpur P.S.Case no.205 of 2017 , registered for offences punishable under Sections 147, 149, 341, 325, 324, 307 and 436 of the Indian Penal Code.

Allegation against the petitioner no.1 is of assault by *farsa* to Sanjay Mahto and Nawal Kishore Mahto and allegation against the petitioner no.2 and 3 are concerned, there is general and omnibus allegation against him.

Submission of the learned counsel for the petitioners is that there is case and counter case between the parties, land dispute is from before and the injuries are simple in nature.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Paharpur P.S.Case No.205 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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