

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24545 of 2018

Arising Out of PS. Case No.-63 Year-2009 Thana- ISUAPUR District- Saran

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1. Sant Mahato, S/o Janardan Mahto,
 2. Lakhendra Mahtao S/o Matukdeo Mahato @ Matukdeo Lal,
Both R/o Vill.- Rampur Atauli, P.S.- Ishuapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Nath Mishra

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioners and learned
APP for the State

The petitioners apprehend their arrest in connection with Ishuapur P.S. Case No. 63 of 2009 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 307, 506 of the Indian Penal code and 27 Arms Act.

At the very outset, on behalf of petitioners learned counsel submits that this case has been registered on the basis of complaint petition and the police after completing investigation submitted chargesheet only under Sections 504 and 323/34 I.P.C., vide Annexure-2, but on the basis of protest petition cognizance has been taken under Sections 379 and 307



of the Indian Penal Code also. The informant has sustained injuries which are simple in nature, vide annexure-3. The petitioners have got no criminal antecedent, there is no chance of their absconding or tempering with the prosecution evidence and as such they deserve sympathetic consideration.

Learned A.P.P. fairly submitted that after investigation chargesheet was submitted only under Section 504, 323/34 of the Indian Penal Code.

In the facts and circumstances stated above, the petitioners, above named, in case of their arrest or surrender within four weeks from the date of receipt/production of copy of this order, are directed to be released on bail on execution of bail bonds of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Chapra in connection with Ishuapur P.S. case No. 63 of 2009, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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