

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63115 of 2017

Arising Out of PS.Case No. -76 Year- 2017 Thana -KHUTAUNA District- MADHUBANI

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1. Ram Prasad Mahto, S/o Ram Narayan Mahto,
2. Ram Narayan Mahto, S/o Late Sunar Mahto,
3. Rajesh Mahto @ Rajesh Kumar, S/o Rameshwar Mahto,

All are R/o Village- Siktiyahi, Tola Sihula, Ward No.1, P.S.- Khutauna,
District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Matloob Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-02-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Khutauna**
P.S. Case No. 76 of 2017 instituted for the offence under Sections
341, 323, 324, 307, 354, 379, 427, 504 and 506/34 of the Indian
Penal Code.

Learned counsel for the petitioners has submitted that
there is land dispute between the parties. There is case and counter
case between them. The counter case has been filed by
Rameshwar Mahto vide Khutauna P.S. Case No. 77 of 2017 in
which he has sustained fracture injury in his hand.

In the instant case there is allegation that these



petitioners and other accused persons assaulted the informant and his other family members.

The injury reports have been enclosed as Annexure-3 series wherein the Doctor has found the injury on the person of all the injured to be simple in nature caused by hard and blunt substance.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Khutauna P.S. Case No. 76 of 2017**, 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 **learned Additional Chief Judicial Magistrate-III, Jhanjharpur, Distt. Madhubani**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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.

S.Ali/-

(Sanjay Priya, J)

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