

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63474 of 2017

Arising Out of PS.Case No. -63 Year- 2017 Thana -PURANHIA District- SHEOHAR

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1. Rajesh Mahto, Son of Dinesh Mahto,
2. Shambhu Das, Son of Satya Narain Das, Both are resident of Village-
Basant Patti, P.S.- Purnahiya, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-02-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Purnahiya P.S. Case No.
63 of 2017 instituted for the offence under Sections-307, 384, 120(B) &
other minor Sections and 27 of the Arms Act.

It has been submitted that there is general and omnibus
allegation against the petitioners

In the written report, it is alleged that a 17 years old boy
died in a road accident. Several persons assembled and were doing
agitation. Petitioners are also named as members of the aforesaid
assembly and were instigating the mob.

Counsel for the petitioners has submitted that similarly
situated co-accused namely, Rajesh @ Bhardul Sah has been granted
anticipatory bail by this court vide order dated 21-12-2017 passed in Cr.
Misc. No. 61816 of 2017.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Purnahiya P.S. Case No. 63 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Sheohar subject to condition as laid down u/S 438(2) of the 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 be liable to cancel his 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.

(Sanjay Priya, J)

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