

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45277 of 2018

Arising Out of PS.Case No. -119 Year- 2018 Thana -OBRA District- AURANGABAD

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1. Ram Bilash Mahto Shankar Sao, S/o Ramdhayan Mahto,
 2. Ram Pukar Mahto, S/o Ramdhayan Mahto,
 3. Binod Mahto, S/o Jagdish Mahto @ Jagdish Mehta, All three R/o Village- Kurmain, P.S.- Obra, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 31-07-2018 Learned counsel for the petitioner is permitted to make necessary correction in the name of petitioner No. 1 during course of the day.

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Obra P.S. Case No. 119 of 2018** instituted for the offence under Sections 341, 323, 324, 325, 307 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is specific allegation against co-accused Jitendra Mahto of assaulting the informant with axe on his head causing injury to him. There is general and omnibus allegation against the petitioners. It has further been submitted that the instant case is



counter blast of Obra P.S. Case No. 118 of 2018 filed by Jitendra Mahto.

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 **Obra P.S. Case No. 119 of 2018**, 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 **Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad**, 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.

(Sanjay Priya, J)

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