

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55170 of 2018

Arising Out of PS.Case No. -121 Year- 2017 Thana -RAMGARHWA District- EASTCHAMPARAN
(MOTIHARI)

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1. Krishna Mahto, S/o Asharfi Mahto,
2. Asharfi Mahto S/o Late Bhikhari Mahto,
3. Saheb Mahto S/o Late Rameshwar Mahto,
4. Sita Devi W/o Asharfi Mahto,
5. Anutam Devi W/o Krishha Mahto,
6. Sunita Kumari D/o Asharfi Mahto, All Vill.- Binwalia, P.S.-
Ramgarhwa, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 341, 323, 379, 427, 354B, 504, 506 and 34
IPC and Sections 3/4 of the Prevention of Witch Practices (Dain)
Act, 1999 registered in connection with Ramgarhwa P.S. Case No.
121 of 2017.

3. It is submitted that the petitioners have been falsely
implicated in the backdrop of dispute between the parties over
drainage as they are neighbours. The instant case has been
instituted as counter blast to Ramgarhwa P.S. Case No. 107 of
2017. The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and



circumstances, as such, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul, East Champaran, in connection with Ramgarhwa P.S. Case No. 121 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner nos. 1 to 3 shall remain physically present and petitioner nos. 4 to 6 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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