

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68861 of 2018

Arising Out of PS. Case No.-107 Year-2018 Thana- MADHAURAH District- Saran

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1. Sanjay Mahto, Son of Deolal Mahto,
 2. Nand Kishor Mahto @ Nand Kishore Singh @ Nand Kishore Prasad, Son of Late Mahadeo Singh,
 3. Hari Charan Sah, Son of Kapil Sah, All are Resident of Village- Hathisar, P.S.- Gaura O.P., Distt- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh
For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 323, 325, 307, 337, 338, 353, 332, 333, 427, 447 of the Indian Penal Code.

The prosecution case, in brief, is that due to land dispute, an altercation took place. Being annoyed with stoppage work, the accused persons attacked Gauri O.P., and started pelting stones and blocked Chapra-Masrakh main road.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have been falsely implicated in the present case. Altogether 52 persons are named in the FIR. General and omnibus allegation has been made against the petitioners. No specific overt act has been attributed to the petitioners. The nature of injury is said to be simple. No offence u/S 307 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Saran at Chapra in connection with Marhowreah (Gaura O.P.) P.S. Case No. 107 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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