

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19421 of 2018

Arising Out of PS.Case No. -371 Year- 2017 Thana -MOTIHARI MUFA SIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Pundev Mahato @ Punyadev Mahato, S/o Late Sheobalak Mahto,
2. Suraj Mahato S/o Ram Nath Mahato, Both R/o Village- Madhbani Ghat,
P.S.- Muffasil, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-05-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Muffasil P.S.Case no.371 of 2017 , registered for offences punishable under Sections 147, 148, 149, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

Allegation against the petitioner no.1 is of assault to one Chandrika Mahto causing injury on his head and petitioner no.2 assaulted Sunil Mahto by sword causing injury on his hand and head.

Submission of the learned counsel for the petitioners is that there is case and counter case and dispute is between the parties and the injuries are simple in nature.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari in connection with Muffasil P.S.Case no.371 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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