

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56308 of 2017

Arising Out of PS.Case No. -295 Year- 2017 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Gopal Mahto, son of late Gokhul Mahto
2. Ramdeni Mahto, son of late Gokhul Mahto
3. Munna Kumar, son of Gopal Mahto
4. Mannu Kumar @ Manu, son of Gopal Mahto
5. Lalan Kumar, son of Ramdeni Mahto
6. Satendra Kumar, son of late Girija Mahto
7. Kanti Devi @ Kunti Devi, wife of Ramdeni Mahto

All are resident of village - Laukariya, Police Station - Harsidhi, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate.

For the Opposite Party/s : Dr. Rabindra Kumar., A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Harsidhi P.S. Case No. 295 of 2017** instituted for the offence under Sections 341, 342, 323, 324, 307 and 379/34 of the Indian Penal Code.

As per allegation in the written report petitioner No. 1 assaulted the informant with knife on his neck causing bleeding injury. It is also alleged that petitioner No. 2 assaulted the informant with *Farsa* on the head causing cut injury and he fell



down.

There is general and omnibus allegation against petitioner Nos. 2 to 7.

Case diary has been received.

The injury report is available in paragraph 12 of the case diary wherein the Doctor has found injury on left side of the neck of the informant which was grievous in nature caused by sharp edged weapon.

Therefore, this Court is not inclined to grant anticipatory bail to petitioner No. 1 namely, Gopal Mahto.

Prayer for anticipatory bail of petitioner No. 1 stands rejected.

So far petitioner Nos. 2 to 7 are concerned, there is general and omnibus allegation against them, prayer for anticipatory bail of the petitioner Nos. 2 to 7 namely, Ramdeni Mahto, Munna Kumar, Mannu Kumar @ Manu, Lalan Kumar, Satendra Kumar and Kanti Devi @ Kunti Devi is allowed. In the event of surrender/arrest of the petitioner Nos. 2 to 7, named above, within six weeks from today, in connection with **Harsidhi P. S. Case No. 295 of 2017**, 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 Chief Judicial Magistrate, East Champaran, 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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