

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27641 of 2018

Arising Out of PS.Case No. -1 Year- 2018 Thana -BHAGWANPUR District- BEGUSARAI

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1. Vijay Kumar, S/o Ram Bahadur Mahto,
2. Laxman Mahto.
3. Lochan Mahto, All 2 to 3 are S/o Hari Charan Mahto, All 1 to 3 are R/o
vill.- Basahi, P.S.- Bhagwanpur (Teyai O.P.), Dist.- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-05-2018

Heard the parties.

The petitioners seek anticipatory bail in connection with
Bhagwanpur (Teyai O.P.) P.S. Case No. 01 of 2018, registered
for offences punishable under Sections 447, 341, 323, 324, 307,
379, 504 and 506/34 of the Indian Penal Code.

The petitioners are named in the F.I.R. Allegation
against the petitioner No.1 Vijay Kumar, is that he was order giver
and there is no any specific allegation has been attributed against
the petitioner No. 3, Lochan Mahto. It is further alleged that there
is specific allegation against the petitioner No. 2, Laxman Mahto
is of inflicting khanti blow upon the brother of the informant,
causing injury on his head.



Submission of the learned counsel for the petitioners is that there is no any specific allegation against the petitioner Nos. 1 and 3 and there is allegation of assault by the petitioner No.2 through Khanti blow on the head of the informant and his brother, is not grievous in nature and there is land dispute between the parties.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioners, 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 bonds of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Bhagwanpur (Teyai O.P.) P.S.Case No. 01 of 2018, subject to the condition that 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 bonds.

(Vinod Kumar Sinha, J)

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