

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34395 of 2018

Arising Out of PS. Case No.-7 Year-2018 Thana- KORMA District- Sheikhpura

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1. Mirgendra Mahto son of Gopal Mahto.
 2. Satish Mahto, son of Ramnandan Mahto.
 3. Madan Mahto, son of Ram Baran Mahto. All resident of Village- Belauni, P.S. Korma, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai
For the Opposite Party/s : Mr. Sri Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Korma P.S. case no.
07 of 2018 instituted for the offence under Section(s)
147,148,149,323,324,333, 337, 338, 307, 353 and 504 of the
Indian Penal Code and Section 27 of the Arms Act.

It is submitted that petition for anticipatory bail of the
petitioner no.1, namely, Mirgendra Mahto has already been
dismissed vide order dated 27.6.2018.

It is further submitted that there is general and omnibus
allegation against these petitioners. There is no any allegation
of specific overt act against these petitioners. In the written
report, it is alleged that there are 37 named accused persons.



There is allegation against these petitioners that they managed to run away from the place of occurrence. It is further submitted that occurrence has taken place due to abduction of the daughter of petitioner no.3, namely, Madan Mahto who was kidnapped by Ravi Ram and for which Korma P.S. case no. 65 of 2017 was lodged on 9.10.2017.

In the facts and circumstances of the case, prayer of the petitioner nos. 2 and 3 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner Nos. 2 and 3 named above, within six weeks from today in connection with Korma P.S. case no. 7/2018, 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 the Judicial Magistrate, Sheikhpura, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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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