

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55764 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- CHIRAIYA District- East Champaran

1. Teja Mahto,

2. Lakhindra Mahto,

Both Sons of Late Rajendra Mahto, R/o Vill.-
Madhubani, P.S.- Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend arrest in connection with
Chiraiya P.S. Case No. 47 of 2018 dated 09.02.2018
instituted under Sections 342,377,504 and 506/34 of the
Indian Penal Code.

3. The allegation against the petitioners is that when
the informant, who is the mother of the victim, went to their
house, they abused and threatened her. The further
allegation is that the brother of the petitioners, who is also



an accused, had committed unnatural offence on the son of the informant, and for that they were making payment for the treatment, but later on had stopped given money.

4. Learned counsel for the petitioners submitted that just because they are the brothers of the main accused, they have been implicated and further that even the victim is a cousin of the petitioners and all the three accused are brothers. It was further submitted that even as per the FIR, the only allegation is of abusing and threatening the informant. Learned counsel further submitted that the petitioners have no criminal antecedent.

5. Learned APP was not in a position to controvert the submissions of learned counsel for the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the SDJM, Sikrahana at Dhaka in connection with Chiraiya P.S.Case No. 47 of 2018, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. One of the bailors shall be a close relative of the petitioners. The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioners shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J)

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