

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52957 of 2017

Arising Out of PS.Case No. -222 Year- 2017 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

- =====
1. Madan Mahto, Son of Late Janak Mahto,
 2. Ram Nath Mahto, Son of Madan Mahto,
 3. Shiv Nath Mahto @ Shiv Nath Kumar, Son of Madan Mahto, All are
resident of Village- Damodarpur, P.S.- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 11-01-2018 Heard the learned counsel for the petitioners as well as
the learned A.P.P. for the state.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Kanti P.S. Case No. 222 of 2017/ G.R. No. 1391 of 2017 for the offences punishable under sections 147, 148, 149, 341, 323, 307, 379 and 452 of the I.P.C.

In the FIR against the petitioner Madan Mahto there is allegation that he instigated to kill the father of the informant and then Chunchun Mahto assaulted with Dabia on his neck which fortunately hit on the forehead and then all the accused persons started assaulting him with lathi, danda and rod.



Submission is of false implication and that no offence under section 307 of the I.P.C. is made out, both parties are pattidars, there is land dispute in between the parties, proceeding under section 144 of the Cr.P.C. is going on between the parties, against the petitioners there is general and omnibus allegation and as such they deserve sympathetic consideration.

The learned A.P.P. submits that the petitioner Madan Mahto instigated and further all have assaulted with lathi, danda and iron rod.

In the facts and circumstances stated above, considering that specific allegation is against Chunchun Mahto and as such the petitioners, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M, West Muzaffarpur in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

Abhay/-

(Jitendra Mohan Sharma, J)

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