

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62311 of 2017

Arising Out of PS.Case No. -99 Year- 2016 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Tarkeshwar Mahto, S/o Late Bhuwali Mahto,
2. Lal Babu Mahto S/o Janardhan Mahto, Both are R/o Village- Balua
Sohraiya, P.S.- Paharpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-01-2018 The petitioners seek regular bail in connection with

Paharpur P.S. Case No. 99 of 2016, registered for offences

punishable under Sections 147, 148, 149, 341, 323, 324, 326, 379,

307, 504 and 506 of the Indian Penal Code.

Allegation against the petitioners and others is of assault

to the informant and his son causing injuries to them.

It has been submitted on behalf of the petitioners that

only general and omnibus allegation of assault by *lathi* and *danda*

has been levelled against the petitioners. It has also been submitted

that there is case and counter case between the parties. Further

petitioners have been in custody since 30.10.2017. It has further

been submitted that the Trial Court has got prejudiced as one of

the accused has taken the privilege of bail on the wrong plea,

however petitioner has nothing to do with the said accused.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and



circumstances of the case and nature of allegation, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, East Champaran at Motihari, in connection with Paharpur P.S. Case No. 99 of 2016, subject to the 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 cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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