

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63213 of 2017

Arising Out of PS.Case No. -147 Year- 2017 Thana -BITHAN BAZAR District- SAMASTIPUR

- =====
1. Mukesh Kumar Mahto @ Mukesh Mahto @ Mukesh Kumar,
 2. Santosh Kumar Mahto @ Santosh Kumar, both sons of Sri Upendra Mahto, residents of village - Telni, P.S. Bithan, District - Samastipur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Mira Kumari, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 16-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Bithan P.S.**

Case No.147 of 2017 instituted for the offence under Section(s)
341, 323, 307, 324, 354-A/34 Indian Penal Code.

Allegation against petitioner no.2 is of assaulting mother of the informant, Anita Devi, on the head with sharp weapon causing bleeding injury. Allegation against petitioner no.1 is of pushing down the wife of the informant on earth on account of which she became disrobed.

Case diary has been received. Learned APP has submitted that there is no injury report of Anita Devi in the case diary.

Learned Sessions Judge has mentioned in the



impugned order that the doctor has found laceration and abrasion on the body of Anita Devi, which was simple in nature.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Bithan P.S. Case No.147 of 2017**, 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 **Sub-Divisional Judicial Magistrate, Rosera, Samastipur**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds 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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