

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14994 of 2018

Arising Out of PS.Case No. -291 Year- 2017 Thana -BALIA District- BEGUSARAI

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1. Lolu Mahton @ Lal Dhari Mahton, S/o Late Gowardhan Mahton,
2. Ashok Mahto S/o Lolu Mahton @ Lal Dhari Mahton,
3. Ramanuj Mahto S/o Bhagwat Mahton,
4. Bibekanand Mahto S/o Bhagwat Mahton,
5. Puzi @ Shashi Mahto S/o Bhagwat Mahton,
6. Binod Mahto S/o Bhagwat Mahton, All are R/o Village- Kamalpur, P.O.- Parmanandpur, P.S.- Ballia, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashish Kumar

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-05-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Ballia P.S.Cae nO.291 of 2017 , registered for offences punishable under Sections 447, 341, 323, 504, 506,380, 452, 325 and 308/34 of the Indian Penal Code.

Allegation against the petitioners is that they drove away wife of the informant on the pretext that she is 'Dine' and assaulted her and also demolished the wall of the house of the informant.

Submission of the learned counsel for the petitioners is that a large number of litigations are going on in between the parties and the injuries are simple in nature and the police during the investigation and in the supervision has not found the case of the



wife the informant being '*Dine*' true.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai in connection with Ballia P.S. Case nO.291 of 2017 dated 11.11.2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With 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 co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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