

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66761 of 2018

Arising Out of PS.Case No. -336 Year- 2017 Thana -BAKHARI District- BEGUSARAI

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1. Kundan Kumar, S/o Garib Das Mahto,
 2. Randhir Mahto, S/o Baldeo Mahto,
 3. Bikram Mahto @ Bikaram Kumar, S/o Sriram Mahto @ Burya, All resident of Village- Madhua, P.S.- Bakhari, District- Begusarai.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arjun Prasad, Advocate.

For the Opposite Party : Mr. Braj Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 148, 149, 341, 323, 504, 506, 509, 152, 307, 337, 332, 353, 427, 380 and 436 of the IPC.

The prosecution story, in brief, is that on 13.12.2017, at 8.05 A.M. the informant has received an information through Mobile by present Mukhiya Suryakant Paswan of *Ghaghara Panchayat* is that Ram Chandra Mahto of Karkauli Village has been shot fired by Bhushan Mahto and in injured condition he has been brought to *Gangraho Chowk* and no any vehicle is available



upon which the informant on Government Jeep alongwith armed forces proceeded for place of occurrence. The *Chowkidar* informed that people from the side of injured persons started to set fire and also committed loot. Thereafter, he reached at Village-Karkauli. Seeing the police, the anti-social elements became aggressor and started to damage Fire Control Vehicle. Upon which, informant informed to his superior thereafter nearby P.S. armed forces reached there and tried to control the situation but 23 named accused after making unlawful assembly armed with deadly weapons committed *loot-pat* and damaged the house of Ram Bhushan and his two brothers and looted the food grains kept in the house and they also abused the police force and started brick bating on the driver of Fire Control Vehicle.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Altogether 27 persons are named in F.I.R. including the petitioners alongwith 100 unknown persons. General and omnibus allegation has been made. No overt act has been alleged against the petitioners. No specific injury is attributed against the petitioners.



On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Begusarai, in connection with Bakhari P.S. Case No. 336 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

