

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76160 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- PARWALPUR District- Nalanda

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1. Barka Chhotu @ Bharat Kumar, son of Jitendra Mahani
 2. Bhupendra Mahani @ Bhupendra Mohani
 3. Biten Mahani @ Satpal Mahani @ Stapal Mohani Both the sons of Nandlal Mahani. All resident of Village- Pillich, Police Station- Parwalpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Sri Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-12-2018 Heard learned counsel for the parties.

Petitioners seek bail in **Parwalpur P.S. Case No. 08 of 2018** registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 354, 504 and 506 of the Indian Penal Code and under Section 12 of the POCSO Act.

Informant who is the father of the victim girl has alleged that on 20.01.2018 when his daughter was going to appear in examination, petitioners abused and snatched Rs.4,000/- and thereafter in the evening all the petitioners came to the shop of the informant and demanded rangdari and on refusal assaulted him as a result of which he became deaf and thereafter also assaulted his brother.



It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to family dispute. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 05.07.2018 in Criminal Miscellaneous No. 33252 of 2018, 08.08.2018 in Criminal Miscellaneous No. 39046 of 2018 and 10.08.2018 in Criminal Miscellaneous No. 49278 of 2018. They have got no criminal antecedent and are in custody since 21.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **1st Additional Sessions Judge, Nalanda at Biharsharif** in connection with **Parwalpur P.S. Case No. 08 of 2018** with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the court below.

(3) If the petitioners tampers 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.

(S. Kumar, J)

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