

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55460 of 2018

Arising Out of PS.Case No. -204 Year- 2018 Thana -HARSIDHI District- EASTCHAMPARAN
(MOTIHARI)

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1. Sugriv Mahto @ Sugriv Mahato Son of Late Shankar Mahto
 2. Madan Mahto @ Madan Kumar Son of Sugriv Mahto @ Sugriv Mahto
 3. Lal Babu Mahto @ Lal Babu Kumar son of Sugriv Mahto @ Sugriv Mahto
 4. Manisha Devi Wife of Madan Mahto @ Madan Kumar
 5. Layachi Devi @ Laichi Devi Wife of Sugriv Mahto @ Sugriv Mahto All are residents of Village - Kanchhedwa, Police Station - Harsidhi, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv
For the Opposite Party/s APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 06-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned Counsel for the petitioners Mr. Dhurendra Kumar states that the petitioner no. 1 has already been arrested and as such the prayer for grant of anticipatory bail in respect of petitioner no. 1 has become infructuous and need not be pressed.

3. The petitioner nos. 2 to 5 apprehend their arrest for the offences alleged under Sections 341, 323, 324, 379, 354(B),504/34 IPC registered in connection with Harsidhi P.S.



Case No. 204 of 2018.

4. It is submitted that the petitioner nos. 2 to 5 have been falsely implicated in the backdrop of petty disputes between the parties who are neighbors. The injuries are simple in nature. The accusation of offence under Section 354(B) and 379 are ornamental in nature. The petitioner nos. 2 to 5 claim clean antecedents.

5. Having regard to the entirety of the facts and circumstances, as such, in the event of arrest or surrender of petitioner nos. 2 to 5 before the court below within six weeks from the date of communication of this order, let the above named petitioner nos. 2 to 5 be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Harsidhi P.S. Case No. 204 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner nos. 2 to 5.

(ii) That the petitioners nos. 2 to 5 shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner nos. 2 to 5 shall co-operate with the



investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner nos. 2 and 3 shall remain physically present and petitioner nos.4 and 5 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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