

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62182 of 2018

Arising Out of PS. Case No.-202 Year-2018 Thana- MAJHAULIA District- West Champaran

1. Binda Mahto
2. Girish Mahto@ Krishna Mahto
3. Bachhalal Mahto All are sons of late Rajbhumikhan Mahto
4. Rahul Mahto @ Rahul Kumar S/o Girish Mahto@ Rahul Kumar@ Krishna Mahto
5. Bablu Mahto
6. Vikash Kumar Both are Sons of Binda Mahto
7. Magister Mahto@ Balister Mahto Son of Dhurva Mahto
8. Rupesh Mahto Son of Kampan Mahto
9. Sunil Mahto@ Sonu Mahto Son of Balash Mahto All are Resident of Village- Ojha Mathiya, P.S. Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Sharma
For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 11-12-2018 Heard learned counsels for the parties.

The petitioner nos.2 to 9 are apprehending arrest in a case registered for the offences punishable under Sections 147,148,323,332,353,224 and 225 of the IPC.

The prosecution case is that the informant on secret information went to apprehend Girish Mahto, an accused in Majhauria P.S. Case No. 459 of 2015. Thereafter Girish Mahto was apprehended by the informant with help of the police force



and it is further alleged that the petitioners, co-accused and other 50 unknown surrounded the police jeep and got Girish Mahto released.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general. It is further submitted that the petitioner nos. 4,6,7 and 8 have no criminal antecedent.

Considering the accusation being omnibus and general, let the petitioner nos. 4,6,7 and 8 above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, West Champaran, Bettiah in connection with Majhulia P.S. Case No. 202 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

However, in view of the nature of accusation, this application on behalf of petitioner no. 2 above named is not maintainable.

So far as petitioner nos. 3,5 and 9 above named are concerned, since they are having criminal antecedent, let the learned court below consider their prayer of regular bail in case they surrender within six weeks in connection with the aforementioned case pending in the Court of the



learned CJM, West Champaran, Bettiah.

(Dinesh Kumar Singh, J)

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