

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5381 of 2019**

Arising Out of PS. Case No.-230 Year-2018 Thana- MAHUA District- Vaishali

1. Mahesh Rai, son of Bishundeo Rai @ Bishandeo Rai village- Gorigama, P.S.- Mahua, District- Vaishali.
2. Akhilesh Rai, Son of Bishandeo Rai @ Bishundeo Rai, Resident of village- Gorigama, P.S.- Mahua, District- Vaishali.
3. Mohan Rai, Son of Bishandeo Rai @ Bishundeo Rai Resident of village- Gorigama, P.S.- Mahua, District- Vaishali.
4. Bishandeo Rai @ Bishundeo Rai, Son of Late Baskit Rai Resident of village- Gorigama, P.S.- Mahua, District- Vaishali.
5. Mukesh Rai, Son of Bishandeo Rai @ Bishundeo Rai Resident of village- Gorigama, P.S.- Mahua, District- Vaishali.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ansul
For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 13-03-2019 Petitioners seek bail in anticipation of their arrest in connection with Mahua P.S. Case No. 230 of 2018, registered for the offences punishable under Sections 341, 323, 504, 308, 448, 380/34 of the Indian Penal Code and Section 27 of the Arms Act, including Section 3 of Explosive Substance Act.

Allegation against the petitioners is that they entered inside the house of the informant variously armed and looted away ornaments and cash of Rs.40,000/- and on arrival of the villagers they fled away.

Submission of learned counsel for the petitioners is that



they have no criminal antecedent and there is land dispute between the parties and earlier petitioner No.4 lodged a case against the informant and others with respect to occurrence dated 15.8.2018 and due to which the false and concocted case has been filed.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let petitioners, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 230 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioners shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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