

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6707 of 2019

Arising Out of PS. Case No.-30 Year-2018 Thana- District- Patna

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1. Chandan Kumar, gender-male, aged about 30 years, son of Rameshwar Mahto
 2. Mukhiya Mahto, gender-male, aged about 25 years, Son of Mekhan Mahto
- Both are residents of village - Chakdah, P.S.- Ghoswari, District Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Kashyap, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-02-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Ghoswari P.S. Case No. 30 of 2018.

3. It is submitted that the petitioners have been falsely implicated as the accusation of firing on the informant is upon co-accused Ram Nandan Mahto and Ram Briksh Mahto and there is no specific accusation of any assault against the petitioners, who claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Barh, Patna in connection with Ghoswari P.S. Case No. 30 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with



further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) That the petitioners shall remain physically present 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.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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