

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7622 of 2019

Arising Out of PS. Case No.-181 Year-2018 Thana- RAJEPUR District- East Champaran

1. CHANDESHWAR MAHTO, son of Late Bhagrit Mahto
2. Suman Kumar, son of Chandeshwar Mahto
3. Rajan Kumar, son of Chandeshwar Mahto, all residenst of village-Bala Kothi Koirigawan, P.S.-Rajepur, District-East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-02-2019 Mr. Sangeet Deokuliar, learned counsel appearing for the petitioners seeks permission to withdraw the application with respect to petitioner No.1 since he has been arrested and consequently his application has become infructuous.

Prayer is allowed and the application with respect to petitioner No.1 is dismissed as having become infructuous.

Petitioner Nos. 2 and 3 seek bail in anticipation of their arrest in connection with Rajepur P.S.Case No. 181 of 2018 which has been instituted for the offences under Sections 341, 323, 353 and 504/34 of the Indian Penal Code.

It is alleged in the FIR that petitioner Nos. 2 and 3 and others managed to take away an arrested accused person from the custody of the police. The petitioners have been named by



the informant on being told by a local Chowkidar. It appears that implication of the petitioners is only by way of guesswork of the Chowkidar.

Considering the nature of accusation and the circumstances of the case, the petitioner Nos. 2 and 3, named above, in the event of arrest or surrender within four weeks, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M., Sadar, Motihari, East Champaran, in connection with Rajepur P.S. Case No. 181 of 2018, corresponding to G.R.No. 7595 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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