

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10160 of 2019

Arising Out of Case No.-182 Year-2018 - NAWADAH COMPLAINT CASE District-
Nawada

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1. JANKI MAHTO @ JANKI MAHTO PRASAD Son of Late Gobind Mahto Resident of Village - Bisiyait Tola, Redhe Mohan Bigha, P.S.-Meskaur, District - Nawada.
 2. Biresh Mahto @ Brijesh Kumar Kushwaha Son of Janki Mahto @ Janki Mahto Prasad Resident of Village - Bisiyait Tola, Redhe Mohan Bigha, P.S.-Meskaur, District - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalan Yadav Son of Late Bhattu Yadav Resident of Village - Bisiyait Tola, Redhe Mohan Bigha, P.S.-Meskaur (Sirdalla), District - Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar @ Deo
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-02-2019 Heard both sides.

The petitioners apprehend their arrest in Complaint case No. 182 of 2018 for the offences allegedly committed by the petitioners under Section 323, 452, 380 of the Indian Penal Code and under Section 27 of Arms Act.

The complainant made allegation that on the day of occurrence the petitioners and others entered into the house, assaulted the complainant and others and took away different articles.

It is submitted that the story is quite different. Prior to institution of the present complaint case, petitioner No.1 lodged



Sirdala (Meskaur) P.S. case No. 13 of 2018 on 10.01.2018 against the complainant and others and the complainant filed the present case only to create defense.

Considering the facts that prior to filing of the present complaint case the petitioner No.1 filed Sirdala P.S. case No. 13 of 2018 against the complainant and others and similarly situated two other co-accused persons, Kanti Devi and another have been granted anticipatory bail, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Nawada in connection with Complaint case No. 182 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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