

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14362 of 2019**

Arising Out of PS. Case No.-414 Year-2018 Thana- MOTIHARI MUFASIL
District- East Champaran

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1. Raghunath Mahato Son of Late Mangani Mahato, male, aged about 41 years
 2. Jagarnath Mahato @ Chhotan Mahato Son of Late Mangani Mahato, male, aged about 37 years
 3. Vicky Kumar @ Vikash Kumar Son of Bira Mahato, male, aged about 21 years
 4. Munna Kumar Son of Bira Mahato, male, aged about 20 years.
 5. Nanhak Mahato Son of Late Mangani Mahato, male, aged about 40 years.
 6. Sandeep Kumar Son of Chhotan Mahato @ Jagarnath Mahato, male, aged about 18 years
 7. Raj Kumar Son of Manshi Mahato, male, aged about 20 years
 8. Rakesh Kumar Son of Bira Mahato, male, aged about 25 years,
All R/o Mohalla- Kolhuarawa Ward No. 16, P.S.- Town Motihari , District-
East Champaran

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Patanjali Rishi, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 323, 324, 379, 504 and 506 of the Indian Penal Code registered in connection with East Champaran Mufassil P.S. Case No. 414 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the accusations of assault variously by the petitioners are not corroborated as the injury report discloses that the injuries are all simple in nature as evident from perusal



of the order of the learned ADJ-IX, East Champaran, Motihari. The accusation of snatching 3.5 gram gold chain from the neck of the informant by the petitioner no. 4 is mere embellishment. The petitioners 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with East Champaran Mufassil P.S. Case No. 414 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

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

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

(iii) 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.

(iv) 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.

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(Vikash Jain, J)

