

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26820 of 2019**

Arising Out of PS. Case No.-215 Year-2018 Thana- SANGRAMPUR District-
East Champaran

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1. ASHOK KUMAR @ KERAI MAHTO, aged abut 45 years, male, Son of Parma Mahto Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 2. Ashok Kumar @ Ashok Kuwar, aged about 47 years, male, Son of Late Satruhan Kumar Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 3. Vikash Kumar, aged about 18 years, male, Son of Asharfi Mahto Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 4. Vikash Kumar @ Vikash Pandey, aged about 20 years, male Son of Umesh Mahto Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 5. Nagina Mahto, aged about 55 years, male, Son of Kumar Mahto Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 6. Parma Mahto, aged about 62 years, male, Son of Surat Mahto Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 7. Asharfi Mahto, aged about 50 years, male, Son of Late Bikhram Mahto Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 8. Shani Kumar, aged about 18 years, male, Son of Ashok Kumar Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 9. Mukesh Mahto, aged about 32 years, male, Son of Asharfi Mahto Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 10. Sanjay Mahto, aged about 25 years, male, Son of Kedar Mahto Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 11. Tuntun Mahto aged about 38 years, male, Son of Asharfi Bhagat Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 12. Asharfi Bhagat @ Asharfi Mahto, aged abut 55 years, male, Son of Late Bigu Mahto Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 13. Munna Pandey, aged about 48 years, male, Son of Late Tribhuwan Pandey Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District- East Champaran.
 14. Vikash Pandey, aged about 24 years, male, Son of Munna Pandey



Resident of Village- Sangrampur Mathiya, P.S.- Sangrampur, District-
East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Dilip Kumar Tondon, Advocate.

For the Opposite Party: Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 24-04-2019

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, 324, 307, 448, 380,
354/34 of the Indian Penal Code registered in connection with
Sangrampur P.S. Case No. 215 of 2018.

3. It is submitted that the petitioners have been falsely
implicated in the backdrop of land dispute and there is case and
counter case between the parties. The accusation of assault is
general and omnibus without any specific assault attributed
individually. Injuries resulting from the assault alleged against
the petitioners are simple in nature rather the petitioners' side
has received grievous injuries. 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,
Motihari, East Champaran in connection with Sangrampur P.S.
Case No. 215 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 of the petitioners.

(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.

(Vikash Jain, J)

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