

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1051 of 2019

Arising Out of PS. Case No.-386 Year-2018 Thana- BARACHATTI District- Gaya

1. Mukesh Prasad @ Mukesh Kumar
2. Umesh Prasad
3. Kheman Mahto

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Smt. Reena Sinha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-01-2019 Heard the parties.

The petitioners seek anticipatory bail in connection with Barachatti P.S. Case No. 386 of 2018, registered for offences punishable under Sections 342, 324, 385, 307 and 34 of the Indian Penal Code.

Allegation as per the F.I.R. against the petitioners is of demanding ransom of Rs. One lac and upon resisting, they started to assault petitioner No. 2, Umesh Prasad assaulted on the head of the brother of the informant with tangi and petitioner No. 1 assaulted one labour with iron rod and petitioner No. 3 assaulted the bhabhu of the informant on her head with iron rod, causing injuries.

Submission of the learned counsel for the petitioners



that they have falsely been implicated in this present case and the present case is nothing but the counter blast of the F.I.R. lodged by the petitioner's side as Barachatti P.S.Case No. 385 of 2018.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner Nos. 1 and 3, in the event of their arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand)each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Gaya,in connection with Barachatti P.S.Case No. 386 of 2018, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure with conditions that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

So far as the case of the petitioner No. 2 is concerned, I am not inclined to grant bail to the petitioner, Accordingly, prayer of anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrender before the court



below within a period of four weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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