

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24800 of 2019

Arising Out of PS. Case No.-79 Year-2017 Thana- PIRI BAZAR District- Lakhisarai

1. Mithun Kumar @ Mithun Mahto, (Male) aged about 26 years,
2. Manoj Kumar @ Munna Mahto, (Male), aged about 31 years,
both Sons of Ramakant Mahto @ Ramanand Mandal, Resident of Village +
Bariyarpur, P.S.- Piri Bazar, District – Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-07-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 302/120(B) of the Indian Penal Code and U/S-27 of the Arms Act.

Submission is that the petitioners are not named in the FIR and have falsely implicated due to village politics. FIR has been lodged against unknown persons. Name of the petitioners sprang up during the investigation. The petitioner no. 2 is also made accused in one other case being Suryagarha (Piri Bazar) P.S. Case No. 272/2008 in which he is on bail, whereas petitioner no. 1 has not criminal antecedent. Charge-sheet has been submitted in this case.

It is further submitted that on the alleged date and time both the petitioners were not present in the village where alleged occurrence took place. Petitioners have no concerned with the



deceased or his family members.

Let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory 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 the learned court below where the case is pending in connection with Piri Bazar P.S. Case No. 79/2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure as well as conditions that:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Anjani Kumar Sharan, J)

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