

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30486 of 2019

Arising Out of PS. Case No.-177 Year-2017 Thana- MADHAURAH District- Saran

1. Dharam Mahto Son of Late Ramayan Mahto
 2. Sharma Mahto Son of Late Ramayan Mahto
 3. Suresh Mahto Son of Late Ramayan Mahto
 4. Lallan Mahto Son of Late Ramayan Mahto
- All are residents of Village - Tehati Bin Toliya, P.S.- Marhowrah, Distt - Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-05-2019 Learned counsel for the petitioners submits that petitioner no.1, namely, Dharam Mahto has been arrested during the pendency of this application and, as such, his application for grant of anticipatory bail has rendered infructuous.

Accordingly, this application is dismissed as having become infructuous so far petitioner no.1 is concerned.

Heard learned counsel for the petitioner nos. 2 to 4 and learned counsel for the State.

In this case, the petitioner nos. 2 to 4 are seeking anticipatory bail in connection with Marhowrah P.S. Case No. 177 of 2017, registered for the offence punishable under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code and Section 27 of the Arms Act.



Allegation against the petitioner no.1 is to have fired from pistol and allegation against petitioner nos. 2 to 4 is general and omnibus in nature.

Looking to the entire facts and circumstances of the case, let the petitioner nos. 2 to 4, above-named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra, in connection with Marhowrah P.S. Case No. 177 of 2017 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a further condition that whenever the police will call the petitioner nos. 2 to 4 for the purposes of investigation and interrogation, they will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

V.K.Pandey/
S. Katyayan/-

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