

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44037 of 2019**

Arising Out of PS. Case No.-610 Year-2018 Thana- JOGAPATTI District-
West Champaran

- =====
1. DHRUV MAHTO, aged about 65 years, male, Son of Late Bishun Mahto Resident of Village- Kuriya Rampurwa, P.S.- Yogapatti, District- West Champaran.
 2. Binod Prasad, aged about 28 years, male, Son of Dhruv Mahto Resident of Village- Kuriya Rampurwa, P.S.- Yogapatti, District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Brij Kishor Mishra, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 143, 447, 341, 323, 379, 384, 504 and 506 of the Indian Penal Code registered in connection with Yogapatti P.S. Case No. 610 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is no accusation to attract the offence under Section 384 IPC. The accusation of theft 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, Bettiah, West Champaran in connection with Yogapatti P.S. Case No. 610 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 shall be a close relative 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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