

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41314 of 2019

Arising Out of PS. Case No.-103 Year-2019 Thana- PAKARIBARAW District- Nawada

1. UDAY KUMAR @ UDAY MAHTO Son of Bhola Mahto Resident of Village-Bardiha, P.S.-Pakri Barawan, District-Nawada.
2. Surendra Kumar @ Sulo Mahto Son of Bhola Mahto Resident of Village-Bardiha, P.S.-Pakri Barawan, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2019 This application, for grant of anticipatory bail, arises out of Pakaribarawan P.S. Case No. 103/2019, disclosing offences under Sections 147, 149, 323, 325, 307/34 of the Indian Penal Code.

Allegation as per F.I.R. is that petitioners and others came variously armed and assaulted the informant and there is specific allegation of assault against co-accused Ritesh Kumar, who assaulted one Guddu Miya and other accused persons also assaulted the informant and others.

Submission of learned counsel for the petitioners is that no specific allegation has been attributed to the petitioners and as a matter of fact, the informant was creating nuisance in a



drunken condition, which was also informed to the police but the police asked to come and register the case, however, on intervention of superior authorities, the case was lodged against the informant and in retaliation, the informant has lodged this false case.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Nawada, in connection with Pakaribarawan P.S. Case No. 103/2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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