

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71092 of 2018

Arising Out of PS. Case No.-112 Year-2018 Thana- SANGRAMPUR District- East
Champaran

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1. Doma Mahto
 2. Rajan Kumar Both sons of Mahendra Mahto, Both residents of Village-
Bariyariya, P.S.- Sangrampur, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Murlidhar,APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 341, 323, 324, 325, 307, 504, 506 IPC
registered in connection with Sangrampur P.S. Case No. 112 of
2018.

3. It is submitted that the petitioners have been falsely
implicated in the backdrop of land dispute between the parties.
The accusation of assault are general and omnibus in nature.
However, the prosecution has sought to improve its case
subsequently in course of investigation by adding Doma Mahto,
petitioner no. 1 having assaulted caused injury to Rajehwar
Choudhary. It is further submitted that in any event all the
injuries are simple in nature. The petitioners claim clean
antecedents.

4. Be that as it may, having regard to the entirety of the
facts and circumstances, 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) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Sangrampur P.S. Case No. 112 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 co-operate 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) The petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

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