

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54405 of 2019

Arising Out of PS. Case No.-1073 Year-2017 Thana- AHIYAPUR District- Muzaffarpur

1. SUBODH MAHATO S/o Umesh Mahto R/o village- Shekhpur Bandh, P.S.- Ahiyapur, District- Muzaffarpur
2. Sajjan Kumar Mahto S/o Subodh Mahto R/o village- Shekhpur Bandh, P.S.- Ahiyapur, District- Muzaffarpur
3. Niraj Kumar Yadav S/o Binod Ray R/o village- Mai Asthan Shekhpura, P.S.- Ahiyapur, District- Muzaffarpur
4. Raja Kumar Yadav S/o Bhajju Ray R/o village- Mai Asthan Shekhpura, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Udit Nr. Singh Mr. Rajib Kumar Mr. Gajendra Kr. Singh
For the Opposite Party/s :		Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Ahiyapur P.S. Case No. 1073 of 2017 for the offence punishable under Sections 341, 342, 323, 354, 354(B), 448, 504 and 506/34 of the Indian Penal Code.

It is alleged in the First Information Report that on the date of occurrence, i.e., 13.12.2017, the petitioners entered into the house of the informant, abused him and assaulted him with the butt of a pistol. Allegedly, they were demanding extortion money and they took away valuables. The informant is



a P.D.S. Dealer, as disclosed in the First Information Report.

Learned counsel appearing on behalf of the petitioners has submitted that they have been implicated because they were making allegation against the informant of irregularities in distribution of food grains and other articles by the informant. He has also submitted that the explanation for delay in lodging of the First Information Report is not at all justified. For the occurrence, which is said to have taken place on 13.12.2017, the First Information Report came to be lodged on 15.12.2017. It has been stated in paragraph 3 of the application that the petitioners have no criminal antecedent.

Considering the above submission and the facts and circumstances, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur, in Ahiyapur P.S. Case No. 1073 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners



shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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