

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80270 of 2018

Arising Out of PS. Case No.-430 Year-2018 Thana- CHANPATIA District- West Champaran

1. Sabita Devi and Anr wife of Nandlal Mahto
2. Shesh Nath Mahto Son of Rameshwar Mahto Both are Resident of village- Sirisiya Biswas , Police Station- Sirisiya O.P., District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-01-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Chanpatiya (Sirisiya) Police Station Case No. 430 of 2018, disclosing offences punishable under Sections 447, 341, 342, 323, 307, 302 and 34 of the Indian Penal Code.

The allegation of assault on the deceased is against the co-accused persons, namely, Rameshwar Mahto, Laxmina and Gudi Devi. It is evident from the first information report, that there is no specific allegation of assault against these petitioners. Land dispute is the reason behind the occurrence, which is said to have taken place.

Considering the nature of allegation against these



petitioners, in my opinion, a case for grant of anticipatory bail is made out.

In view of the submission, as above, this application is allowed. Let the petitioners, 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. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge 1st Cum Special Judge, West Champaran at Bettiah in connection with Chanpatiya (Sirisiya) Police Station Case No. 430 of 2018, subject to the condition 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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