

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63238 of 2019

Arising Out of PS. Case No.-180 Year-2019 Thana- TEGHRHA District- Begusarai

1. Dular Mahto @ Dulam Mahto @ Dularu Mahto @ Dulan Mahto, Male, aged about 30 years, Son of Late Kailu Mahto, Resident of Village-Chilhai, Khirjarchak, P.S.-Teghra, District-Begusarai.
2. Dharmbir Mahto @ Karu Mahto @ Kari Mahto @ Kari, Male, aged about 19 years, Son of Arun Mahto, Resident of Village-Chilhai, Khirjarchak, P.S.-Teghra, District-Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Sandip Kumar Gautam, Advocate.
For the Opposite Party : Mr.Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case for the offence registered under Sections 448, 341, 323, 504, 384, 324, 326, 307/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 18.05.2019 at about 11.00 A.M. while nephew of the informant, namely, Dilip Kumar Yadav was sitting at the door of his house then suddenly the petitioners alongwith other co-accused persons came there and they were having rifles and pistols in their hands and they abused Dilip Kumar Yadav and demanded one Lakh rupees as *Rangdari Tax*. It is further alleged that thereafter co-



accused Anil Mahto exhorted other co-accused persons to kill Dilip Yadav and after that all the accused persons started firing. It is also alleged that one of the co-accused Munna Mahton tried to shot fire upon the chest of Dilip Yadav but he saved himself and the bullet hit on his right leg. It is further alleged that while leaving the place of occurrence the accused persons threatened Dilip Kumar Yadav that if he will lodge any case they will kill him.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 20.08.2019. The petitioners have falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Specific allegation of assault is alleged against co-accused Munna Mahto. As far as the petitioners are concerned, general and omnibus allegation has been made against them. No specific overt act has been alleged against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai, in connection with Teghra P.S. Case No. 180 of 2019.

(Sudhir Singh, J)

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