

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67358 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- PAUTHU District- Aurangabad

1. ROHIT KUMAR Son of Dadhu Mahto Resident of Village- Alpa, P.S.- Pauthu, District- Aurangabad.
2. Amresh Mahto Son of Late Rekha Mahto Resident of Village- Alpa, P.S.- Pauthu, District- Aurangabad.
3. Yugal Mahto Son of Late Ram Keshwar Mahto Resident of Village- Alpa, P.S.- Pauthu, District- Aurangabad.
4. Nawal Mahto Son of Late Ram Keshwar Mahto Resident of Village- Alpa, P.S.- Pauthu, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-11-2019 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, 379, 506/34 of the Indian Penal Code registered in connection with Pauthu P.S. Case No. 30/2019.

3. It is submitted that the petitioners have been falsely implicated on the accusation of having snatched Rs. 11,000/- from the informant. It is submitted that the FIR has been lodged in the backdrop of land dispute between the parties and the petitioner no. 2 has filed Title Suit No. 69 of 1981 before the learned SDJM, Aurangabad. The accusation of assault is not corroborated and there is no injury to the informant. The petitioners claim clean antecedents.

4. Be that as it may, 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) each with two sureties of like amount each to the satisfaction of learned CJM, Aurangabad in connection with Pauthu P.S. Case No. 30/2019, 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. That the petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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