

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69116 of 2019

Arising Out of PS. Case No.-274 Year-2019 Thana- KHAGARIA District- Khagaria

1. Manish Kumar @ Manish Mahto, Son of Shambhu Mahto,
2. Jyoti Kumari, D/o Naresh Mahto
3. Sunti Devi, Wife of Naresh Mahto
4. Usha Devi, Wife of Shambhu Mahto
Petitioner nos. 1 to 4 are Resident of Village - Bela Simri, P.S.- Gangaur,
Distt - Khagaria.
5. Jayjay Ram Mahto, Son of Late Bishundeo Mahto, Resident of Village -
Chhatauna, P.S.- Nawkothe, Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory
bail in connection with Khagaria (Gangaur) P.S. Case No.274 of
2019 registered for the offences punishable under Sections 147,
148, 307, 354, 379, 504 and 323 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this
case due to land dispute. Learned counsel submits that there is
no specific allegation of assault against these petitioners.



Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners which has not been disputed by learned APP for the State that the thrust of the allegations are against co-accused Shambhu Mahto who had assaulted the informant and her son, there being a case of land dispute and these petitioners are co-villagers of the informant except petitioner no.5 as also that these petitioners have no criminal antecedent, let the petitioners in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Khagaria (Gangaur) P.S. Case No.274 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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