

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73317 of 2018

Arising Out of PS. Case No.-315 Year-2018 Thana- BAIRIYA District- West Champaran

1. Manoj Mahto S/o Deo Mahto
2. Raj Kumar Mahto @ Raj Kumar @ Nanki, S/o Deo Mahto
3. Deo Mahto S/o Late Jagdish Mahto
4. Murti Devi W/o Deo Mahto
5. Sabita Devi W/o Manoj Mahto All Resident of Village-Balua Rampurwa, P.S.-Bairiya, District-West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 07-03-2019 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, 324, 354, 379, 504, 506 and 34 IPC registered in connection with Bairiya P.S.Case No. 315/2018.

3. It is submitted that the petitioners have been falsely implicated and there is case and counter case between the parties in relation to a dispute in which the petitioner nos. 2, 3 and 4 have also sustained injuries. Injury on the informant is simple in nature. The petitioner claims 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, Bettiah, West Champaran in connection with Bairiya



P.S.Case No. 315/2018, 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. The petitioner nos. 1, 2 and 3 shall remain physically present and petitioner nos. 4 and 5 will be well represented 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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