

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72753 of 2019

Arising Out of PS. Case No.-413 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

1. MAHENDRA PASI Son of Baduri Pasi Resident of Village- Mamadev, P.S.- Mohaniya, District- Kaimur at Bhabhua, Bihar.
2. Baduri Pasi son of Late Dahin Pasi Resident of Village- Mamadev, P.S.- Mohaniya, District- Kaimur at Bhabhua, Bihar.
3. Prabhu Pasi son of Late Baduri Pasi Resident of Village- Mamadev, P.S.- Mohaniya, District- Kaimur at Bhabhua, Bihar.
4. Ramlal Chaudhary @ Ramlal Pasi son of late Baduri Pasi Resident of Village- Mamadev, P.S.- Mohaniya, District- Kaimur at Bhabhua, Bihar.
5. Bidesi Pasi Son of Late Dahin Pasi Resident of Village- Mamadev, P.S.- Mohaniya, District- Kaimur at Bhabhua, Bihar.
6. Om Prakash Pasi Son of Bidesi Pasi Resident of Village- Mamadev, P.S.- Mohaniya, District- Kaimur at Bhabhua, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh No.10
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Mohania P.S. Case No. 413/2019 registered under Sections 323, 341, 324, 325, 379, 504, 307, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case due to



enmity between the parties.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners and submits that there is specific allegation against petitioner no. 1 of giving Khanti blow on the informant.

Considering the facts and circumstances of the case wherein it is found that there is specific allegation of giving Khanti blow on petitioner no. 1 Mahendra Pasi, therefore, prayer for anticipatory bail of petitioner no. 1 is rejected.

In case, petitioner no. 1 namely Mahendra Pasi, surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on it's own merit without being prejudiced by the order of this court.

So far as petitioner nos. 2 to 6 are concerned, there being general and omnibus allegations against them and that they happened to be own gotias of the informant side and further that these petitioners have no criminal antecedent, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioner nos. 2 to 6 be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like



amount each to the satisfaction of learned C.J.M., Kaimur, Bhabhua, in connection with Mohania P.S. Case No. 413/2019 (G.R. No. 1992/2019), subject to 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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