

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75961 of 2019

Arising Out of PS. Case No.-176 Year-2019 Thana- BENIPATTI District- Madhubani

1. Lalit Kumar Mahto @ Lalit Mahto, S/O Ram Chandra Mahto
 2. Shyam Mahto, S/O Ram Autar Mahto
 3. Mahadev Mahto, S/O Ram Chandra Mahto
 4. Sushil Mahto, S/O Janak Mahto
 5. Phudan Mahto, S/O Late Phaguni Mahto
 6. Akhilesh Mahto, S/O Sushil Mahto
 7. Dinesh Mahto, S/O Phaguni Mahto
 8. Jatan Kumar Mahto @ Jatan Mahto, S/O Mohan Mahto
 9. Munni Mahto, S/O Raghunanadan Mahto
- All the petitioners are Residents of Village - Basaitha, P.S. - Benipatti,
District - Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioners and learned
APP for State.

The petitioners in this case are seeking anticipatory
bail in connection with Benipatti P.S. Case No.176 of 2019
registered for the offences punishable under Sections 147, 148,
149, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence as



alleged in the FIR. Learned counsel submits that the petitioners have falsely been implicated in this case due to land dispute .

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

Considering the facts and circumstances of the case wherein it is the submission of the petitioners that they are said to be the members of the mob only and there is no specific allegation of commission of any overt act is there against any one of them and the said submission has not been controverted by learned APP for the State, 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 A.C.J.M., Benipatti, Madhubani in connection with Benipatti P.S. Case No.176 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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