

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75979 of 2019

Arising Out of PS. Case No.-286 Year-2019 Thana- KESARIA District- East Champaran

1. PRAMOD MAHTO aged about 35 years, Male,
2. Ram Lakhan Mahto, aged about 37 years, Male,
Both are son of Bholi Mahto
3. Sri Bhagwan Mahto @ Bhagwan Mahto, aged about 50 years, Male, Son of
Late Darrath Mahto @ Dasrath Mahto
4. Shivam Mahto, aged about 30 years, Male,
5. Chandrika Mahto, aged about 25 years, Male,
Both are son of Baldeo Mahto
6. Dara Mahto @ Dra Mahto, aged about 30 years, Male, Son of Ramesh
Mahto
7. Jitendra Mahto, aged about 24 years, Male, Son of Ramlakhan Mahto
8. Yogendra Mahto @ Jogendra Mahto aged about 22 years, Male, Son of
Baldeo Mahto
9. Mukesh Mahto, aged about 20 years, Male, Son of Kailash Mahto
All are resident of Village - Sarang Pur, P.S.- Keseriya, District - East
Champaran
10. Hira Lal Mahto, aged about 19 years, Male,
11. Ramesh Mahto @ Rakesh Mahto, aged about 21 years, Male,
Both are son of Lalu Mahto
12. Pravesh Mahto, aged about 35 years, Male, Son of Ramesh Mahto
13. Ramvilash Mahto, aged about 40 years, Male Son of Brahmdeo Mahto @
Ramesh Mahto
14. Dunmun Mahto, aged about 22 years, Male, Son of Brahmdeo Mahto
15. Ram Lakhan Mahto, aged about 30 years, Male, Son of Birendra Mahto
All are resident of Village - Sarang Pur, P.S.- Keseriya, District - East
Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, ADvocate
For the Opposite Party/s : Mr.Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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



Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Keshariya P.S. Case No. 286/2019 registered under Sections 147, 148, 149, 341, 323, 324, 307, 379, 427, 447, 448, 327, 354 of the Indian Penal Code.

Learned counsel for the petitioners submits that according to the F.I.R. no occurrence was taken place on 12.06.2019 rather the occurrence was taken place on 04.06.2019 for which Kesariya P.S. Case No. 271/2019 was lodged. There is general and omnibus allegation against these petitioners. Learned counsel submits that petitioners are pattidar/gotiya of the informant and there is land dispute between the parties.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of the petitioners and the same has not been controverted by learned A.P.P. for the State that the alleged occurrence one F.I.R. has already been lodged earlier and further that in the present F.I.R. there are only general and omnibus allegations against these petitioners and the assault on the persons of the informant's side have not been made specific against any of these petitioners as also that both the parties are



having land disputes and they are litigating in Civil Court in civil suits, let the above-named petitioners, in the event of their arrest/surrender before the court below within a period of four weeks, 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 A.C.J.M. - 3rd, Motihari, East Champaran, in connection with Keshariya P.S. Case No. 286/2019, 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)

Rajeev/-

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