

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79278 of 2019

Arising Out of PS. Case No.-467 Year-2019 Thana- KHAGARIA District- Khagaria

1. Kare Mahto Son of Vishnudev Mahto Resident of Village - Mathurapur, P.S.- Khagaria, Distt - Khagaria.
2. Ankesh Kumar Son of Kare Mahto Resident of Village - Mathurapur, P.S.- Khagaria, Distt - Khagaria.
3. Santosh Kumar Son of Vishnudev Mahto Resident of Village - Mathurapur, P.S.- Khagaria, Distt - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners is of commission of assault with butt of the pistol.

Submission is that petitioners have got clean antecedent and intention to commit murder cannot be deduced from the act of the petitioners as instead of using the pistol, allegedly used the butt.



Considering the nature of allegation and the fact that the petitioners have got clean antecedent, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender in the court below within a period of thirty days from the date of receipt of the order, on furnishing bail bond of Rs.20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Khagaria in connection with Khagaria P.S.Case No.467 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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