

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83979 of 2019

Arising Out of PS. Case No.-117 Year-2018 Thana- KURSAILA District- Katihar

1. Ram Swaroop Mahto, Son of Late Jagdish Mahto Resident of Village - Gobarahi Diyara 04, No. Bind Toli, P.S.- Kursela, Distt - Katihar.
2. Pankaj Kumar Mahto @ Pankaj Mahto, Son of Ram Swaroop Mahto Resident of Village - Gobarahi Diyara 04, No. Bind Toli, P.S.- Kursela, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 302/34 of the IPC and Section 27 of the Arms Act.

The prosecution case is that on 06.07.2018 at about 6 P.M. the informant along with his brother, Dilip Mahto was returning home, but on the way, all the FIR named accused persons including the petitioners surrounded the informant and his brother when co-accused Vijay Mahto resorted to fire upon the brother of the informant, Dilip Mahto, as a result, he succumbed to the injuries.



It is submitted by learned counsel for the petitioners that accusation of firing is not against the petitioners. The accusation against the petitioners is omnibus and general. A statement has been made in paragraph no.3 of the petition that the petitioners were made accused in other case of similar nature of offences in which they are on bail.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the fact that specific accusation of firing has not been levelled against the petitioners, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Katihar in connection with Kursela P.S. Case No. 117 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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