

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6298 of 2020

Arising Out of PS. Case No.-157 Year-2019 Thana- KURSAKANTA District- Araria

1. DHODHIA MAHTO Son of Dhaneshwar Mahto Resident of Village-Megha, P.S.-Kursakanta, District-Araria.
2. Ghanshyam Mahto Son of Dhaneshwar Mahto Resident of Village-Megha, P.S.-Kursakanta, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-03-2020 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 447, 504 and 506/34 of the Indian Penal Code, registered in connection with Kursakanta (Kuwari) P. S.Case No. 157 of 2019.

3. It is submitted that the petitioners have been falsely implicated and in any event the accusation of assault is general and omnibus in nature. The accusation of snatching Rs. 15,000/- cash by co-accused Bisheshwar Mahto and a mobile phone by petitioner no.2 is mere embellishment. No incriminating articles has been recovered from the conscious possession of the



petitioners. There is delay in the lodging of the FIR on 09.06.2019 for the alleged occurrence of 08.06.2019. The petitioners claim clean antecedents.

4. Be that as it may, in the event of petitioners' arrest or surrender before court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-V, Araria in connection with Kursakanta (Kuwari) P.S. Case No. 157 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the



event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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