

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35121 of 2020

Arising Out of PS. Case No.-218 Year-2019 Thana- RIVILGANJ District- Saran

1. LAL BABU MAHTO Son of Late Tilak Mahto Resident of Village - Parsa, Police Station - Revilganj, District - Saran (Chhapra)
2. Sree Bhagwan Mahto Son of Late Tilak Mahto Resident of Village - Parsa, Police Station - Revilganj, District - Saran (Chhapra)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar -II, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-03-2021 Heard Mr. Tej Narayan Singh, learned counsel for the petitioners and Mr. Ajay Kumar-II, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Revilganj P.S. Case No. 218 of 2019 dated 26.07.2019 instituted for the offences under Sections 341, 323, 325, 384, 386, 379 and 34 of the Indian Penal Code.

Though it has been alleged in the FIR that the petitioner no. 1 inflicted farsa blow on the informant and other accused persons and took away valuable belongings of the informant but learned counsel for the petitioners has submitted that the case has been filed after about two months of the occurrence. A complaint



petition was filed by the informant which was sent under Section 156(3) Cr.P.C. for institution of a regular case.

Learned counsel for the petitioners has also pointed out that the petitioner no. 1 had earlier filed a case against the informant and others *vide* Revilganj P.S. Case No. 159 of 2018 in which the informant and his family members were made accused. The petitioners as well as the informant are agnates and because of some old dispute, such a false case has been instituted after about two months of the alleged occurrence.

Considering the aforesaid facts, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on their furnishing bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saran, Chhapra in connection with Revilganj P.S. Case No. 218 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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