

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33744 of 2020

Arising Out of PS. Case No.-115 Year-2020 Thana- JOGAPATTI District- West Champaran

1. Harihar Mahto @ Harihar Prasad S/o Sheolochan Mahto Resident of Village-Laxmipur, P.S.-Yogapatti, Dist-West Champaran.
2. Pradeep Mahto S/o Babulal Prasad Resident of Village-Laxmipur, P.S.-Yogapatti, Dist-West Champaran.
3. Sandeep Kumar @ Sandeep Prasad S/o Babulal Prasad Resident of Village-Laxmipur, P.S.-Yogapatti, Dist-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 325, 354B, 379, 384, 504, 506/34 of the Indian Penal Code.

Allegedly, while the informant's brother went to bring Shag from the field, in the way, the accused persons intervened him and demanded rangdari. On hearing the noise, while the



informant went there, he saw that the accused persons were assaulting his brother. It is further alleged that informant and his other brother were also assaulted as a result of which, they sustained injury. It is also alleged that while informant's daughter came to rescue, she was ill-behaved.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. The specific allegation is against the co-accused namely Mani Bhushan and Jay Prakash. So far these petitioners are concerned, there is general and omnibus allegation against them. There is case and counter case between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti P.S. Case No. 115 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

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