

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38170 of 2020

Arising Out of PS. Case No.-117 Year-2020 Thana- LAKHNAUR District- Madhubani

1. GARIB MAHTO @ GARIB DAS S/O LATE DALLU MAHTO R/O VILLAGE - NANDENAGAR, P.S. - LAKHANAUR, DISTRICT - MADHUBANI
2. ALOK KUMAR S/O BISHUNDEO MAHTO R/O VILLAGE - NANDENAGAR, P.S. - LAKHANAUR, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 323, 332, 379, 307, 504, 353 of the Indian Penal Code.

The prosecution allegation, in short, is that when the police party reached the place of occurrence to pacify the matter, the accused persons attacked on the police party due to which they sustained injuries.



It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. From perusal of the order of the Sessions Court, it appears that the injury report has not been submitted by the prosecution before the Court of Sessions. The present prosecution is a mala fide prosecution.

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

Considering the aforesaid facts and circumstances and also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned A.C.J.M. Jhanjharpur, Madhubani in connection with Lakhanaur P.S. Case No. 117 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in



connection with the aforesaid case.

(Sudhir Singh, J)

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