

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16053 of 2021

Arising Out of PS. Case No.-256 Year-2020 Thana- NAUTAN District- West Champaran

1. KRISHNA MAHTO, Son of Laxman Mahto Resident of Village- Dhoomnagar Purwari Tola, P.S.- Nautan, District- West Champaran.
2. Shakti Mukhiya Son of Amrica Mukhiya Resident of Village- Dhoomnagar Purwari Tola, P.S.- Nautan, District- West Champaran.
3. Mumtaz Mansuri @ Mumtaz Ansari Son of Hussain Ansari Resident of Village- Dhoomnagar Purwari Tola, P.S.- Nautan, District- West Champaran.
4. Sukesh Mahto Son of Khedu Mahto Resident of Village- Dhoomnagar Purwari Tola, P.S.- Nautan, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 07-01-2022 Heard the learned counsel for the parties.

The petitioners seek bail in anticipation of their arrest in connection with Nautan P.S. Case No. 256 of 2020, dated 25.07.2020, instituted for the offences under Sections 147, 148, 149, 341, 342, 332, 333, 307, 353, 504 and 506 of the Indian Penal Code.

The petitioners are among those of the twenty four named accused persons who have been identified by the local Chawkidar and an arrested accused person, who are



stated to have participated in the occurrence which took place in between the villagers and the police party.

The prosecution case is that one Rakesh Kumar, on the charge of committing theft, was held captive by the villagers and was being assaulted. When the police party tried to rescue aforesaid Rakesh Kumar, the villagers became aggressive and started misbehaving with the police party. The police party could anyhow manage to escape. Aforesaid Rakesh Kumar has also filed a case against the local villagers for having wrongly confined him in custody and of having assaulted him on the false charge of committing theft.

It has been submitted on behalf of the petitioners that the accusation against them is only on the basis of their being identified by the local Chawkidar. The petitioners suspect that merely because they are the co-villagers, they have been made accused in this case.

Regard being had to the general nature of accusation against the petitioners and taking into account that one of the similarly situated accused persons of this



case has been granted anticipatory bail by this Court, they, in the event of their arrest or surrender before the learned Court below within a period of four weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/-(Rupees 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 Nautan P. S. Case No. 256 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.The application stands allowed.

The application stands allowed.

(Ashutosh Kumar, J)

skm/-

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