

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37390 of 2022

Arising Out of PS. Case No.-91 Year-2022 Thana- BIHAR District- Nalanda

1. VIJAY MAHTO @ VIJAY PRASAD S/O CHARITAR MAHTO Resident of Village- Sakunat, P.S.- Bihar, District- Nalanda.
2. BHOLA MAHTO @ BHOLA KUMAR S/O ARJUN MAHTO Resident of village- Arhit, P.S.- Okari (Ghosi), District- Jehanabad.
3. AZAD MAHTO @ AJEET KUMAR S/O BASANT MAHTO Resident of village- Arhit, P.S.- Okari (Ghosi), District- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 354, 380, 504 and 506/34 of the IPC.

Allegedly, all the FIR named accused persons including the petitioners entered into the house of informant after breaking gate and window and caught the informant. Thereafter they looted all the house hold articles.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case due to previous enmity. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. No incriminating article has been recovered from the conscious physical possession of the petitioners. It is further submitted that the petitioners are the next door neighbours of the informant and due to previous enmity, petitioners have been implicated in this case. Petitioners have one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bihar P.S. Case No.91 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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