

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58161 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- SALAKHUA District- Saharsa

1. Chandra Kumar Mahto Son of Baleshwar Mahto Resident of Village - Chanan, P.S. - Salkhua, District - Saharsa.
2. Amit Kumar Son of Lalan Mahto @ Lalan Kumar Resident of Village - Chanan, P.S. - Salkhua, District - Saharsa.
3. Raushan Kumar Son of Lalbihari Mahto Resident of Village - Chanan, P.S. - Salkhua, District - Saharsa.
4. Pramod Mahto Son of Shibnandan Mahto Resident of Village - Kabira, P.S. - Salkhua, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-10-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State assisted by learned counsel for the informant.

Learned counsel for the petitioners undertake to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 385 and 302 of the Indian Penal Code.



As per the F.I.R. when the informant went to plough his field; all of a sudden some 11 accused persons including the petitioners armed with rifle and three nut surrounded him. The accused demanded Rs. 5 lakhs as rangdari and in due course started firing. As a result of firing the tractor driver namely Sujeet Kumar was hit by the bullet and on reaching Sadar Hospital he was declared dead. The informant specifically alleged that on account of refusal of rangdai amount the alleged offence took place.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due the land dispute. He submits that there is specific overt act against co-accused Hitesh Mahto who fire upon the deceased. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds 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 Salkhua P.S. Case No.63 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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