

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12798 of 2023

Arising Out of PS. Case No.-300 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. DEEPAK KUMAR @ DEEPAK MAHTO S/o Ramdhari Mahto R/o village-
Fursatpur Bairiya, P.S.- Muffasil, Distt- East Champaran.
 2. Jhabbu Rai @ Indal Kumar Rai @ Indal Kumar yadav Son of - Late
Ramswroop Rai R/o village- Fursatpur Bairiya, P.S.- Muffasil, Distt- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Verma

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 324, 307, 425, 504 and 506 of the Indian Penal Code pending in the learned court below.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is case and counter case between the parties and both sides have sustained injuries. He submits that petitioner no.2 is an order giver to set fire on the house of the informant in fact the said house is not a dwelling house and it is a bathan. He further submits that the entire dispute arises from the piece of land upon which the informant



is claiming to be owner. He submits that similarly situated other co-accused person has already been granted bail by Coordinate Bench of this Court vide order dated 26.04.2023 passed in Cr. Misc. No. 66337/2022 and vide order dated 11.01.2023 passed in Cr. Misc. No.48689/2022. He further submits that petitioner no.1 has got no criminal antecedent and petitioner no.2 has got one criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Motihari (Muffasil) P.S. Case No.300/2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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