

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63435 of 2022

Arising Out of PS. Case No.-553 Year-2018 Thana- BAGHA District- West Champaran

1. SIKANDAR MAHATO Son of Lalan Mahato Resident of Dharmapur Vrit, Banchahari, P.S.- Bagaha, District- West Champaran
2. LAXMAN MAHATO @ LAKSHMAN MAHATO Son of Lalan Mahato Resident of Dharmapur Vrit, Banchahari, P.S.- Bagaha, District- West Champaran
3. KANHAIYA KUMAR @ KANHAIYA MAHATO Son of Bahadur Mahato Resident of Dharmapur Vrit, Banchahari, P.S.- Bagaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 24-04-2023

1. Heard both the parties.

2. The petitioners seek bail in anticipation of their arrest in connection with Bagha P.S. Case No. 553 of 2018, dated 17.11.2018, instituted for the offences under Sections 143, 323, 337, 307, 427, 379, 504, 506 of the I.P.C.

3. Learned counsel for the petitioners submits that the Police did not find the case to be proved as against the petitioners. However, the learned Magistrate has differing from the report, taken cognizance without there being any protest petition. The petitioners submits that the injuries are superficial



in nature.

4. Taking into consideration overall aspects and noticing the fact as above, I am inclined to grant anticipatory bail to the above named petitioners and in the event of arrest, they shall be released on bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., which are as under:-

I. The petitioners shall cooperate with the investigation and make themselves available for interrogation whenever required.

II. The petitioners shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer,

III. The petitioners shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the police;

IV. The petitioners shall maintain law and order;

V. The petitioners shall, at the time of execution of the bond, furnish their address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

VI. The petitioners shall surrender their passport, if



any, before the investigating officer within a week and, if they does not possess any passport, they shall file an affidavit to that effect before the investigating officer;

VII. The petitioners shall regularly remain present during the trial and cooperate with the Hon'ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 75

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