

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9088 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -UJIYARPUR District- SAMASTIPUR

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Lal Babu Mahto S/o Rajaram Mahto, R/o Village- Korbatha, P.S.-
Mufassil, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh

For the Opposite Party/s : Mr. R.B.Roy Raman (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-03-2015

Heard both sides.

The petitioner seeks bail in a case under Sections
302/34 of the Indian Penal Code.

The informant alleged that he got information that his
brother Manoj Rai met with an accident and he was lying in a
hospital. The informant found his brother dead in the hospital. Dr.
Mahesh Mahto and Lal Babu Mahto (the petitioner) disclosed that
the deceased met with an accident in front of the Primary Health
Centre, Belari. It is further alleged that the wife of the deceased
disclosed that Dr. Mahesh Mahto called his brother and the
deceased had some altercations with Dr. Mahesh Mahto and Lal
Babu Mahto.

It appears that the informant is not an eye witness of
the occurrence. Only suspicion is raised that the petitioner and Dr.

Mahesh Mahto might have killed the brother of the informant.

Having considered the fact that except suspicion there is no material to show that the petitioner killed the brother of the informant, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in Ujjiyarpur P.S. Case No. 02 of 2015.

(Prabhat Kumar Jha, J)

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