

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35891 of 2014

Arising Out of PS. Case No. -90 Year- 2006 Thana -RUNISAIDPUR District- SITAMARHI

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1. Sheoji Mahto, son of Late Jageshwar Mahto,
 2. Vijay Mahto, son of Ram Ekbal Mahto,
 3. Ram Vivek Mahto, son of Ram Ekbal Mahto,
 4. Rakesh Mahto, son of Ram Ekbal Mahto,
 5. Pukari Devi, wife of Sheoji Mahto,
- All are resident of Village- Dhobaha Tola, Harnakar, P.S. Runisaidpur,
District- Sitamarhi. Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. A. M. P. Mehta (APP)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 04-03-2015

Heard learned counsel for the petitioners and the
State.

The prayer for bail on behalf of petitioner nos. 2 to 4
is permitted to be withdrawn.

The petitioner nos. 1 and 5 apprehend their arrest in a
case for the offences under Sections 364/120 B of the Indian Penal
Code.

One Lalu Mahto gave his fardbeyan that his elder
brother, namely, Sahdeo Mahto, was married with one Anita Devi
about 7 years ago from which he had one son and one daughter.
There was some stern relationship between Sahdeo Mahto and his
wife. Earlier efforts was made by Sahdeo Mahto to bring his wife.

On 28.04.2006, the informant's brother again went to bring back his wife, thereafter he did not return.

Learned counsel for the petitioners submits that the informant has implicated all the relatives of Anita Devi including Sheoji Mahto and Pukari Devi, who happens to be the uncle-in-law and aunt-in-law of Sahdeo Mahto and uncle and aunt of Anita Devi. Learned counsel further submits that they do not have anything to do with the parents of Anita Devi.

Having regard to the nature of allegation, I am not inclined to grant anticipatory bail to petitioner nos. 1 and 5. However, if the petitioners, named above, surrender before the court below (Chief Judicial Magistrate, Sitamarhi) in connection with Runisaidpur P.S. Case No. 90 of 2006 and pray for bail, the same would be disposed of on the same day in the light of the observation made that these two petitioners have nothing to do with the family of Anita Devi. The trial court would also take into consideration that other accused persons have also been acquitted in the case.

This application stands disposed of.

(Samarendra Pratap Singh, J.)

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