

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45747 of 2015

Arising Out of PS.Case No. -482 Year- 2012 Thana -SONEPUR District- SARAN

1. Jeet Mahto, S/o Lal Babu Mahto, R/o village- Chitrasanpur, P.S.-
Sonepur, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

For the Opposite Party/s : Mr. Sanjay Kumar Singh (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-10-2015 Heard Mr. Nawal Kishore Singh and Niranjan
Parihar, learned counsels for the petitioner, and learned A.P.P. for
the State.

The petitioner apprehends his arrest in Sonepur P.S.
case No. 482/2012 for offences alleged under Section 302,
120B/34 of the Indian Penal Code.

The prosecution case is that brother of informant,
Vijay Mahto, along with his wife Mamta Devi went to Sonepur
fair and at that time they were quarreling. Mamta Devi returned at
evening hour alone and on asking she replied that Vijay Mahto
had told to return later on. Aunt of informant apprised that she had
also gone to Sonepur fair where she had seen both of them with
Hari Shanker Mahto along with his two unknown associates. On

the next morning body of Vijay Mahto was lying dead with injuries on various parts of his body. The informant stated that there was illicit relationship of his Bhabhi Mamta Devi with accused Hari Shanker Mahto and he has suspicion that his Bhabhi Mamta Devi and accused Hari Shanker Mahto along with his associates in conspiracy have committed the murder of deceased and threw the dead body to screen themselves from legal punishment.

It has been submitted by learned counsel for the petitioner that the petitioner is not named in the FIR and his name surfaced on the basis of confessional statement of co-accused Hari Shanker Mahto who has since been granted bail in Cr. Misc. No. 19196 of 2013 on 15.07.2013 and another accused Mamta Devi has also been granted bail vide Cr. Misc. No. 22060 of 2013 on 07.10.2013, which finds place at annexures 2 and 3 of the petition. Further more, it has been submitted that the petitioner has no criminal antecedent, as stated in paragraph 3 of the petition.

Be that as it may, in case of arrest or surrender within a period of six weeks from today before the court below, the above named petitioner will 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 Additional Chief

Judicial Magistrate, Saran at Chapra in Sonapur P.S. Case No. 482
of 2012, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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