

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37036 of 2014

Arising Out of PS.Case No. -346 Year- 2013 Thana -SAKRA District- MUZAFFARPUR

- =====
1. Jogendra Mahto @ Jogendra Mahato S/o Late Sidheshwar Mahto
2. Kanti Devi W/o Jogendra Mahto Both Resident of Village Mohmadpur
Shivram, P.S. Sakra, District Muzaffarpur.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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with

Criminal Miscellaneous No.46044 of 2014

Arising Out of PS.Case No. -346 Year- 2013 Thana -SAKRA District- MUZAFFARPUR

- =====
1. Nand Kishore Mahto Son of Late Ramchandra Mahto Resident of
village- Mohammadpur, Shivram, Police Station- Sakra, District-
Muzaffarpur

.... Petitioner.

Versus

1. The State of Bihar

.... Opposite Party.

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Appearance :

(In Cr.Misc. No.37036 of 2014)

For the Petitioners : Mr. Rajesh Kumar, Advocate.

For the State : Mr. Nirmala Kumari, A.P.P.

(In Cr.Misc. No.46044 of 2014)

For the Petitioner : Mr. Prabhakar Jha, Advocate.

For the State : Mr. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD

ORAL ORDER

3 20-04-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

Two bail petitions are being heard together and disposed
of by common order as two cases arise in connection with Sakra
P.S. Case No. 346 of 2013, registered under Sections 323, 307 and
302 of the Indian Penal Code.

There is specific allegation in the First Information Report about involvement of the petitioners Jogendra Mahto and Kanti Devi in Cr. Misc. No. 37036 of 2014. However, no role attributed to the petitioner, Nand Kishore Mahto and it has come in paragraph 10 of the case diary that Nand Kishore Mahto, in Cr. Misc. No. 46044 of 2014 was not there and hence his participation of the occurrence has not been established.

Hence I am not inclined to grant anticipatory to the petitioners namely, Jogendra Mahto and Kanti Devi. However, these petitioners if surrender and pray for regular bail, then their prayer for bail shall be considered without being prejudice by this order.

So far petitioner, Nand Kishore Mahto, in Cr. Misc. No. 46044 of 2014 is concern in the event of his arrest/surrender within a period of four weeks from the date of receipt of the order in the court below shall be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, in connection with Sakra P.S.Case No. 346 of 2013, subject to condition as laid down under Section 438 (2) of Cr.P.C.

m.p.

(Gopal Prasad, J)

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