

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37700 of 2014

Arising Out of PS.Case No. -148 Year- 2006 Thana -CHANPATIA District- WEST
CHAMPARAN(BETTIAH)

- =====
1. Bachan Mahto, son of late Sukhi Mahto.
 2. Jag Mahto, son of late Jitan Mahto.
 3. Bhagwan Mahto, son of late Narsing Mahto.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 29-01-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners are in jail custody since 18.06.2014 in a
case registered for the offences punishable under Sections 302,
201/34 of the Indian Penal Code.

Admittedly, the husband of the informant left his
home on 20.06.2006 and on the aforesaid day, informant was not
present in her house and she returned to her home on 22.06.2006
and thereafter, her daughter namely, Draupadi Devi told her that
deceased left his home in the company of petitioners and others. In
course of investigation, the statement of aforesaid Draupadi Devi
was recorded at para 10 of the case diary at which she stated that
her father left his home on 20.06.2006 along with the petitioners

and others but in night he returned to his home and slept there and after that in the morning of 21.06.2006 he again left the home.

Even if the aforesaid statement is taken into consideration then also, at best it is a case of last seen and admittedly, the investigation has already been completed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, West Champaran at Bettiah in connection with Chanpatia P.S. Case No. 148 of 2006.

(Hemant Kumar Srivastava, J)

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