

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48815 of 2015

Arising Out of PS.Case No. -152 Year- 2015 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Hirdya Mahto Son of Janak Mahto,
2. Dashrath Mahto, Son of Bholu Mahto,
3. Mankeshwar Mahto, Son of Dashrath Mahto, All are resident of village -
Sisawa Noneya Tola, P.S. - Paharpur, District - East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajesh Kumar, Advocate

For the Opposite Party : Smt. Renu Kumari, APP

For the Informant : Mr. Binay Kumar, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 01-12-2015 This is an application, made under Section 439 of
the Code of Criminal Procedure, seeking bail for the accused-
petitioners, namely, Hirdya Mahto, Dashrath Mahto and
Mankeshwar Mahto, in connection with Paharpur Police
Station Case No. 152 of 2015, under Sections 447/341/323/
324/325/307/379/504/34 of the Indian Penal Code.

Perused the above application and materials on
record.

Heard Mr. Rajesh Kumar, learned Counsel for the
petitioner, and Mrs. Renu Kumari, learned Additional Public
Prosecutor, appearing on behalf of the State. Heard also Mr.
Binay Kumar, learned Counsel, appearing for the informant.

In view of the fact that the Petitioner Nos. 1 and
2 above-named have been in custody since 20.08.2015, and
petitioner No.3 above-named has been in custody since
25.08.2015 in connection with the case aforementioned
coupled with the fact that the medical findings do not support

entirely the accusation of the applicants having attempted to cause death of the deceased and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioners in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioners' liberty on bail would adversely affect their trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties each, each of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Paharpur Police Station Case No. 152 of 2015.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application shall stand disposed of.

(I.A. Ansari, ACJ)

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