

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49545 of 2014

Arising Out of PS.Case No. -69 Year- 2014 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

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1. Upendra Mahto, Son of Brahamdeo Mahto
2. Bablu Mahto, Son of Surendra Mahto,
Both residents of Village Baijnathpur,
P.S. Manpur, District Nalanda.
3. Laxman Thakur, Son of Chamru Thakur,
Resident of Village - Palani P.S. Manpur, District Nalanda
..... Petitioners

Versus

The State of Bihar
..... Opposite Party

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Appearance :
For the Petitioner : Mr. Parmod Kumar, Advocate
For the Opposite Party : Mr. Rana Randhir Singh(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 19-05-2015 Heard learned counsel for the petitioners and the
learned counsel for the State.

The petitioners are apprehending their arrest in
connection with Asthawan P.S. Case No.69 of 2014 for
allegedly having committed the offences under Section 302/34
of the Indian Penal Code.

Learned counsel for the petitioners submits that the
present case has been lodged against the petitioners only because
they are local persons of the locality and petitioner no.1 Upendra
Mahto is the owner of the brick-kiln. Learned counsel further
submits that the petitioners had no enmity whatsoever with the
informant and there was no occasion why petitioner no.3 Laxman

Thakur would have called the informant's grandson to the brick-kiln to distribute the money. It is also submitted that the deceased Chandramauli Chaudhary had 90% disability, which stands testified by the certificate of Medical Superintendent of Ranchi Institute of Neuro-Psychiatry & Allied Sciences, Kanke, Ranchi dated 15.5.2008.

Considering the aforementioned submissions and also the fact that the petitioners have no criminal antecedents and that there was no motive whatsoever for the petitioners to indulge in such an act, let all the three above named petitioners, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 the learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Asthawan P.S. Case No.69 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

PNM

(Anjana Mishra, J)

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