

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44053 of 2014

Arising Out of PS.Case No. -214 Year- 2014 Thana -AGAMKUAN District- PATNA

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Pathal Mahto @ Pathar Mahto Son of Late Drishna Mahto Resident of
Village - Bari Pahari, P.S. - Agamkuan, District- Patna.

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

with

Criminal Miscellaneous No.45331 of 2014

Arising Out of PS.Case No. -214 Year- 2014 Thana -AGAMKUAN District- PATNA

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Tun Tun Mahto Son of Dasai Mahto Resident of Village-Chhoti Pahari,
P.S.-Agam Kuan, District-Patna.

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 03-03-2015 Both petitions arise out of Agamkuan P.S. Case No. 214

of 2014 registered under Sections-302, 201, 120B/34 of the Indian

Penal Code and accordingly, both the above-said petitions are

being heard and disposed off by this common order.

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State as also heard learned

counsels, appearing for the informant.

The petitioner in Cr. Misc. No. 44053 of 2014 is named

in the first information report with assertion that he was found

near the place of occurrence, when the informant went there and

he fled away from the place of occurrence having Hasua in his hand. So far as the petitioner in Cr. Misc. No. 45331 of 2014 is concerned; his name surfaced in further statement of the informant and after that, he was arrested by the police and allegedly, on the basis of confessional statement of the petitioner in Cr. Misc. No. 45331 of 2014, Hasua was recovered from his house. There is nothing in the case diary to show that any blood stain was found on the seized Hasua and apart from this, there is nothing on the record to show that the aforesaid Hasua was sent for chemical examination or not.

Admittedly, none has seen the alleged occurrence and according to prosecution case, except previous enmity as well as above-said circumstances, there appears to be nothing against the petitioners.

Taking into consideration the aforesaid facts and circumstances as well as submission of the parties, let the petitioners named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Agamkuan P.S. Case No. 214 of 2014 to the satisfaction of Additional Chief Judicial Magistrate, Patna City, District-Patna.

(Hemant Kumar Srivastava, J)

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