

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52084 of 2014

Arising Out of PS.Case No. -347 Year- 2014 Thana -DUMRAUN District- BUXAR

1. Nandjee Mahto
2. Uma Mahto Both Petitioner No. 1 and 2 are sons of Girija Mahto resident of village- Charmotia Inar, P.S.- Dumraon, District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Amitesh Kumar(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-03-2015 Heard the learned counsel for the petitioners as well as the learned A.P.P.

The petitioners seek bail in a case for the offences punishable under sections 302, 326, 201/34 of the I.P.C

Allegedly the third son of the informant was killed and his dead body was recovered from Dhobighat at Kaw river near Kalimandir, Dumraon and it is suspected that both the petitioners have killed the deceased and threw the dead body.

Submission is that due to land dispute the petitioners have been named in the FIR. The informant is not an eye witness. Similarly during investigation also no eye witness has come forward to say regarding complicity of the petitioners and only on

hear say evidence charge-sheet has been submitted against the petitioners resulting the petitioners are suffering in custody since 18.10.2014.

In the facts and circumstances as stated above, the petitioners are directed to 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 C.J.M. Buxar in Dumraon P.S. Case No. 347 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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