

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29189 of 2015

Arising Out of PS.Case No. -49 Year- 2014 Thana -PAKARIBARAW District- NAWADA

1. Bhikhari Mahto Son of parhlad Mahto resident of Village-Dhamoul (Parria), police station Pakribarawa(Dhamoul), District Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary

For the Opposite Party/s : Mr. Gajendra Prasad Yadav (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-08-2015 Heard learned counsel for the petitioner and learned A.P.P. for the. State.

The petitioner is languishing in custody since 18.04.2015 in a case registered for the offences punishable under Section 342, 323, 364, 307 and 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that on 02.03. 2014 the informant's husband, namely, Abdul Sattar alongwith Chand and one other went out from the house at 08.15 0' clock by a motorcycle of Chand for purchasing articles of marriage and thereafter she went on her roof and saw that co-accused Dharmraj Yadav, Mishri Yadav and one unknown person surrounded them and dragged her husband out from the motorcycle and carried him



towards a river situated at a distance of one kilometer from the Karbala and when the informant and Chand and other villagers proceeded towards river the accused persons started firing. It is further alleged that the reason behind the occurrence is that two – three days ago some quarrel took place between them and for which a case was lodged before the concerned P. S. It is further alleged that the informant and others were searching her husband then police has come and Chand told that accused Dharamraj Yadav and Mishri Yadav and one unknown stopped the motorcycle and dragged Sattar Uncle forcibly towards river. The number of motorcycle is R.B. 27C/2829 Bajaj Discover as stated by Chand. The informant also claimed that accused Dharamraj Yadav, Mishri Yadav and one unknown person kidnapped her husband due to earlier quarrel and assaulted her husband.

Learned counsel for the petitioner points out that for same and similar allegation, a Co-ordinate Bench of this Court has already granted bail to other co-accused persons vide order dated 30.06.2015 passed in Cr. Misc. No. 13266 of 2015 and Cr. Misc. No. 15410/2015.

I, see no reason to take a different view and in such circumstances, the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two

sureties of the like amount each to the satisfaction of learned
S.D.J.M. Nawada in connection with Pakri Barawan P. S. Case
No. 49 of 2014 and G.R. No. 531/2014.

(Nilu Agrawal, J)

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