

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25093 of 2015

Arising Out of PS.Case No. -184 Year- 2012 Thana -MAHUA District- VAISHALI(HAJIPUR)

- =====
1. Mukesh Mahto S/o Ram Prasad Mahto, aged about 25 years
 2. Rajesh Mahto S/o Ram Prasad Mahto, aged about 30 years Both Resident of Village Jahagirpur Salkhani, P.S. Mahua, District Vaishali.
 3. Akhilesh Mahto S/o Hardeo Mahto, aged about 22 years Resident of Village Jatkauli Thikha, P.S. and District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha

For the Opposite Party/s : Mr. Madhuranand Jha(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 16-12-2015

Heard learned Counsel for the petitionr and

learned Counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Mahua P.S. Case No. 184 of 2012, registered for offences punishable under Sections 325, 307, 379, 302 and 120-B of the Indian Penal Code.

Diary in the present case was called for which has since been received. Learned Counsel for the petitioner submits that the petitioner is neither named in the FIR nor is he anyway connected with the offence described. He further submits that actually the deceased died after having been caught while committing theft and he was beaten up by villagers and subsequently he succumbed to his injuries.

Ld. Counsel appearing on behalf of the State submits that the name of the petitioner has surfaced only because subsequently the brother of the deceased stated that at some point of time the petitioner had taken some money for which a dispute had arisen between them.

Considering the aforementioned facts and circumstances of the case and there being no cogent material to connect the petitioner with the offence and that admittedly the deceased died as a result of being beaten up by the villagers while committing theft in the house of one person, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hazipur in connection with Mahua P.S. Case No. 184 of 2012 subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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