

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26379 of 2015

Arising Out of PS.Case No. -98 Year- 2013 Thana -KHANPUR District- SAMASTIPUR

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1. Mahesh Mahto son of Late Rameshwar Mahto Resident of Village-
Nathudwar, Police Station - Khanpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 302, 201,34 of the Indian Penal Code
and Section 3(2-V) SC/ST (P.O.A.)Act.

It is alleged by the informant Marni Devi, being the wife
of deceased Ram Sharan Paswan, that in the night of 6/7.10.2013
four persons .namely, Vinod Mahto, Mahesh Mahto, Manjesh @
Boot Lal Rai and Mahesh Mahto had taken away the husband of
the informant while he was going back after seeing movie. It is
further alleged that when she could not locate her husband she
went to the house of the said Mahesh Mahto but subsequently he
disappeared. After search the decomposed dead body of her
husband was found hidden in the field of sugarcane.

It has been submitted on behalf of the petitioner that there is no eye witness to the occurrence. Further, it is submitted that it is a case of last seen. Except that there is no other evidence to show the involvement of this petitioner. It is also submitted that the deceased is said to have entered into a house for committing theft where he was caught and assaulted by the villagers and he succumbed to injury.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, 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 Sri Atul Kumar, Judicial Magistrate, 1st Class, Samastipur, in connection with Khanpur P.S.Case No. 98 of 2013, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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