

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35045 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -JALE District- DARBHANGA

Harish Chandra Mahto Son of Rudal Mahto resident of village - Kachhua,
P.S. - Jalley, District - Darbhanga.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

with

Criminal Miscellaneous No.33511 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -JALE District- DARBHANGA

Ram Prasad Mahto, Son of Jinish Mahto, resident of village- Kachhua, P.S.-
Jalley, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.33766 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -JALE District- DARBHANGA

Kedar Nath Mishra @ Kedar Mishra, Son of Late. Pulkit Mishra, resident of
village- Kachhua, P.S- Jalley, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Iqbal Asif Niazi, Advocate
For the State : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioners and the

State.

The petitioners seek bail in a case registered for offences punishable under Sections 302/34 of the Indian Penal Code.

As per the allegation five persons had assaulted the deceased by fists and slaps as well as by bricks causing his death. It is contended that there is no specific allegation against any of the petitioners that their assault had caused fatal injury upon the deceased. It is also stated that it has come in paragraph no. 38 of the case diary that informant was having criminal antecedent and was accused in a case under section 302 I.P.C. Learned counsel for the petitioners further submits that the uncle of the petitioner Kedar Nath Mishra had deposed against the informant in aforesaid criminal case and that is why he has been implicated. That apart, it is further contended that no motive has been assigned as to why five persons, who are not related with each other would combine together to kill a person.

Having regards to the facts and circumstances of the case, the petitioner, namely, Harish Chandra Mahto of Cr. Misc. No. 35045/2015, petitioner Ram Prasad Mahto of Cr. Misc. No. 33511 of 2015 and petitioner Kedar Nath Mishra @ Kedar Mishra of Cr. Misc. No. 33766 of 2015 are directed to be released on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction

of the Chief Judicial Magistrate, Darbhanga in Jalley P.S. Case
No. 80/15.

(Dr. Ravi Ranjan, J)

Spd/-

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