

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 25374 of 2016

Arising out of P.S. Case No. -1 Year- 1998 Thana -
BAKHTIYARPUR District- PATNA

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1. Deo Narayan Mahto S/o Late Dhanpat Mahto.
 2. Congress Mahto S/o Late Pukhan Mahto Resident of
Village- Rupas Maruahi, P.S. Salimpur Distt- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Adv.

For the Opposite Party/s: Mr. Uday Chand Pd. (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

06. 10.08.2016

Heard learned counsel for the Petitioners and
learned counsel for the State.

The Petitioners are languishing in custody since
08.12.2015 in connection with S.Tr. No. 70 of 2016
arising out of Bakhtiyarpur P.S. Case No. 01 of 1998
pending in the Court of Additional Sessions Judge-III,
Barh, Patna for the offences registered under Section 380
and the other allied sections of the Indian Penal Code.

The prosecution case, in brief, as alleged in the
FIR, according to the Informant, Prasad Ram is that in
the night of 24/25.10.1997 the dacoity was committed in
his house in which these two petitioners along with some
other accused persons having armed came there and
opened fire with their fire-arms and looted the house-hold
articles and exploded bomb in front of his house with

intention to kill the Informant and his family members.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 08.12.2015. Charge-sheet has been submitted in the case. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners and the Informant are of same village. There is admitted enmity between the parties. There is no recovery of any incriminating article from the possession of the petitioners.

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts and circumstances of the case, let the Petitioners, above named 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 Additional Sessions Judge-III, Barh, Patna in connection with S.Tr. No. 70 of 2016 arising out of Bakhtiyarpur P.S. Case No. 01 of 1998.

(Sudhir Singh, J.)

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