

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40811 of 2016

Arising Out of PS.Case No. -121 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

Ramu Mahto Son of Late Uma Mahto Resident of Village- Maniappa, P.S.-
Matihani, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.43105 of 2016

Arising Out of PS.Case No. -121 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

LAMBU CHOUDHARY @ LAV PHOUDHARY Son of Botal Choudhary
resident of Mohalla- Talia Pokhar, P.S.- Town, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.40811 of 2016)

For the Petitioner/s : Mr. Akhileshwar Pd. Singh, Sr.Adv.
Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman, Adv.
(In Cr.Misc. No.43105 of 2016)

For the Petitioner/s : Mr. Akhileshwar Pd. Singh, Sr. Adv.
Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh, Adv.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 24-11-2016 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners are in jail custody since
17.05.2016 in connection with Begusarai Town P.S.
Case No. 121 of 2016 registered for the offences

punishable under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that though petitioners are not named in the first information report subsequently, in the confessional statement made before the police by one co-accused, Lalit Mahto, name of the petitioners has been drawn in the present case. It is further submitted that the present petitioners cannot be prosecuted on the basis of confessional statement made before the police by co-accused, Lalit Mahato. It is further submitted that even the main person who is alleged to have committed the Act, has since been granted regular bail by this Court vide order dated 05.10.2015 passed in Cr. Misc. No. 44245 of 2016.

Having considered the facts and circumstances of the case and the fact that similarly situated co-accused person has been granted regular bail by this Court and also that the petitioners have no criminal antecedent, let the petitioners above named be released on bail on furnishing bail bonds of

Rs. 10,000/- (ten thousand) with two sureties of the
lime amount each to the satisfaction of Chief Judicial
Magistrate, Begusarai in connection with Begusarai
Town P.S. Case No. 121 of 2016.

(Anjana Mishra, J)

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