

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36927 of 2016

Arising Out of PS.Case No. -131 Year- 2016 Thana -MARHAURA District- SARAN

- =====
1. Sibash Kumar @ Shiv Bachan Kumar @ Shiv Bachan Kumar Mahto son of Dharmnath Mahto
 2. Ram Nath Mahto son of Ranjit Mahto
 3. Ram Ayodhya Mahto son of Kishori Mahto All are residents of Village- Tehti Bind Toli, P.S.- Marhowrah, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 14-09-2016 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

This application for anticipatory bail arises out of Marhowrah P.S. Case No. 131 of 2016, disclosing offences under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioners, referring to the First Information Report, has submitted that the allegation as contained in the FIR under Section 302 of the Indian Penal Code is not made out against the petitioners. The allegation is that the petitioners had pushed the father of the informant, due to which he had sustained injuries and subsequently died.

Learned counsel for the petitioners has also submitted that the cause of death of the deceased has been found to be cardio respiratory failure because of chest infection, which belies the allegations made in the First Information Report.

Considering the above, this application is allowed. Let petitioners above-named in the event of their arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-II, Saran at Chapra in connection with Marhowrah P.S. Case No. 131 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

U		T	
---	--	---	--