

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2437 of 2016

Arising Out of PS.Case No. -324 Year- 2015 Thana -KUDHNI District- MUZAFFARPUR

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1. Ashok Mahto Son of Late Deoki Mahto.
2. Sonu Mahto Son of Devendra Mahto.
Both residents of Village- Chainpur Turki, P.S. Kudhani, District-
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. G.S. Gupta(APP)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 28-01-2016 Heard learned counsel for the petitioners, learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Petitioners are named in the first information report
and it is alleged that on the alleged date of occurrence, they along
with others having armed with deadly weapons went at the house
of the deceased and started searching him but they could not
succeed to trace out the deceased and after that the dead body of
the deceased was found near a canal.

It is an admitted position that none has seen the
actual killing of the deceased and the informant has raised
suspicion against the petitioners on the ground of above stated

circumstance. However, in course of investigation, the son of the informant at para-6 of the case diary claimed that when he, having got information about the deceased, went near the place of occurrence and met the deceased, the deceased disclosed the name of the petitioners and other accused but it is surprising enough that the aforesaid fact has not been mentioned by the informant in his ferdbeyan.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners 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 Sri S.K. Jha, Judicial Magistrate 1st Class, Muzaffarpur in connection with Kurhani (Kudhani) P.S. Case No. 324 of 2015.

(Hemant Kumar Srivastava, J)

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