

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18341 of 2016

Arising Out of PS.Case No. -148 Year- 2015 Thana -KURSELA District- KATIHAR

1. Kare Gopal Mahto Son of Late Bitani Mahto,
2. Awadhesh Mahto @ Awadhesh Mahto, Son of Kare Gopal Mahto,
Both are R/o Jonia Bandh P.S. - Barari, District - Katihar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party.

Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate.
For the State : Mr. S.D.Singh Yadav, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 26-07-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection
with Kursela P.S. Case No. 148 of 2015 registered under Sections
147, 149, 447, 341, 223, 302, 504 and 506 of Indian Penal Code as
well as Section 27 of the Arms Act.

Learned counsel for the petitioners submits that so far as
petitioner no. 2 is concerned, there is no specific allegation against
him except that he has generally participated in the Marpit with
the deceased and the main allegation of firing is attributed to one
Rajla Mahto and not against petitioner no. 2.

Learned counsel appearing on behalf of the State after
considering the case diary and on perusal of the postmortem report

submits that apart from fire arm injury, several other injuries have also been found on the body of the deceased.

Under the facts and circumstances of the case and the material available in the case diary and also the petitioner no. 2 has no criminal antecedent, let the petitioner no. 2 Awadhesh Mahto @ Awadhesh Mahto, in the event of his arrest/surrender within a period of four weeks from today shall be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IIIrd, Katihar, in connection with Kursela P.S. Case No. 148 of 2015, subject to condition as laid down under Section 438(2) of Cr.P.C.

(Anjana Mishra, J)

m.pal

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