

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 16363 of 2016

Arising out of P.S. Case No. - 252 Year - 2015 Thana - VAISHALI District - VAISHALI (HAJIPUR)

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1. Gariblal Mahto, S/o Late Bengali Mahto
2. Munna Mahato, S/o Gariblal Mahato
Both resident of Village Bhagwanpur Ratti, P.S. and District Vaishali
.... Petitioners

Versus

1. The State of Bihar
.... Opposite Party

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Appearance :

For the Petitioners : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party : Mr. Dilip Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 14-07-2016 Heard both sides.

The petitioners apprehend their arrest in Vaishali P.S.
Case No. 252 of 2015 registered for the offences punishable under
Sections-302/201 of the Indian Penal Code.

Wife of the deceased stated that she found the dead
body of her husband in mango orchard. Some unknown persons
assaulted her husband and threw his dead body, but the informant
did not name any person nor suspected the involvement of the
petitioners.

It is submitted that the informant made her further
statement in para 8 of the case diary. The son of the deceased also
made his statement, but did not name the petitioners. For the first
time, the informant in para 27 of the case diary came up with a

different story that the petitioners assaulted her husband on the allegation of plucking mango. Although, the informant and her son did not name the petitioners in the First Information Report or their further statement, but after twenty days of the occurrence the informant and her family members came up with different story making allegation that they assaulted her husband.

Considering the facts aforesaid, the petitioners above named, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 252 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

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