

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34011 of 2016

Arising out of P.S. Case No. - 155 Year - 2014 Thana - SIKANDARA District - JAMUI

- =====
1. Subhash Mahto
 2. Nakul Mahto @ Abhishek Kumar
 3. Chhotu Mahto @ Chhotu Kumar, All sons of Sri Mahesh Mahto
 4. Sandip Kumar @ Sandip Mahto, Son of Sri Govind Mahto
- All residents of Village - Sijhouri, Police Station Sikandara, in the district of Jamui

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-11-2016 Learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner nos. 2 and 3, namely, Nakul Mahto @ Abhishek Kumar and Chhotu Mahto @ Chhotu Kumar.

Permission is accorded.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 302 and 504 of the Indian Penal Code.

According to the F.I.R. the accused persons including the petitioners bitterly assaulted Nawal Mahto as a result whereof Nawal Mahto died.

Submission of the petitioners is that one of the co-accused Mahesh Mahto faced trial in Sessions Trial No. 161 of 2015 which resulted in acquittal, as none of the prosecution witnesses including the informant supported the allegation against any of the named accused.

Considering the aforesaid facts, let petitioner nos. 1 and 4, namely, Subhash Mahto and Sandip Kumar @ Sandip Mahto, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt of the order, 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 learned Judicial Magistrate-1st Class, Jamui/Successor Court in connection with Sikandara Police Station Case No. 155 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J.)

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