

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1462 of 2017

Arising Out of PS.Case No. -225 Year- 2016 Thana -JAGDISHPUR District- BHAGALPUR

- =====
1. Kailash Mahto, Son of Late Jamun Mahto.
 2. Usha Devi, Wife of Kailash Mahto.
- Both are resident of Village-Mohadipur, P.S. Jagdishpur, District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 07-02-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Jagdishpur P.S. Case No.225 of 2016 registered under Sections 302/34 of the Indian Penal Code.

The accusation is that on 06.09.2016 at about 05.00 P.M., Manorma Devi, the mother of the informant, had gone to the house of Sunil Singh, the son of her sister, in village-Mohadipur, P.S. Jagdishpur, District-Bhagalpur. On 07.09.2016 at about 07.00 A.M., the informant received information through mobile from Sunil Singh about causing injury to his mother Manorma



Devi by Kailash Mahto (petitioner no.1), his both sons, namely, Guddu Mahto and Ful Kumar, and wife Usha Devi. At that time, Guddu Mahto and his wife Kalpania Devi of village-Bhadaria, P.S. Amarpur, District-Banka also caused injury to Manorma Devi, the mother of the informant. While Manorma Devi, the mother of the informant, was rushed to the hospital but she died.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that the informant is not an eye witness to the occurrence rather he came to know about causing injury to his mother Manorma Devi by Sunil Singh. While Sunil Singh and Renu Devi, the wife of Sunil Singh, have stated about causing injury to Manorma Devi, the mother of the informant, by all the F.I.R. named accused but Renu Devi further stated that Guddu Mahto caused injury at the head of Manorma Devi through iron rod, as detailed in paragraph-7 of the case diary, and only two injuries, caused by hard and blunt substance, were found on the head of the deceased Manorma Devi, as appears from the post-mortem report of the deceased Manorma Devi.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction



of the Chief Judicial Magistrate, Bhagalpur, in connection with
Jagdispur P.S. Case No.225 of 2016.

(Rajendra Kumar Mishra, J)

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