

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5991 of 2017

Arising Out of PS.Case No. -95 Year- 2016 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

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1. Amirak Mahto @ Amrik Mahto, S/o Late Rameshwar Mahto
2. Brijnandan Devi, W/o Amirak Mahto @ Amrik Mahto, Both residents of
Village- Mukunandan Bigha, Police Station- Tharthari, District- Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad, Advocate

For the Opposite Party/s : Smt. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-03-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Tharthari P.S.Case No. 95 of 2016 registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that petitioners are father-in-law and mother-in-law of the deceased and there is no specific allegation against them and later on charge-sheet has been submitted in this case under Section 306 IPC. It has further been submitted that son and daughter of the deceased have been examined during the course of investigation and they have not supported the prosecution case and petitioners are in custody since 21.11.2016.

Heard learned APP also.

Having heard both sides and considering the fact that



there is no specific allegation against the petitioners, charge-sheet in this case has been submitted under Section 306 IPC and they are in custody for four months, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sri Amarjeet Kumar, Judicial Magistrate, 1st Class, Hilsa, Nalanda, in connection with Tharthari P.S.Case No. 95 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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