

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7346 of 2017

Arising Out of PS.Case No. -52 Year- 2015 Thana -NAUGACHIA District- BHAGALPUR

- =====
1. Vinod Mahto, Son of Kameshwar Mahto,
 2. Ganga Mahto @ Ganga Sagar, Son of Kameshwar Mahto
- Both are Resident of Village-Tekuna Math, P.S.-Rosra, Dist-Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate.

For the Opposite Party/s : Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-03-2017 Heard learned counsel for the petitioners, learned
counsel for the informant and the State.

The petitioners apprehend their arrest in Naugachhia
P.S. Case No. 52 of 2015 instituted for the offence under Sections
302/34 of the Indian Penal Code.

As per the *Fard-beyan*, the informant after receiving
information that the dead body of a person was found in a Bahiyar
went there and saw the dead body that was claimed to be of Vinit
Kumar Jha. He informed the police about the incident. As per the
informant no injury was found on the person of the deceased. A
mobile phone and sack were kept there. The informant suspected
that some unknown miscreants have committed the murder of the
deceased.



It has been submitted on behalf of the petitioners that mere suspicion has been raised against the petitioners. The petitioners have clean antecedent.

Case diary has been received.

The learned A.P.P. after looking into the case diary has pointed out that the witnesses in paragraphs 60, 61, 62 and 63 have stated that the deceased was seen with the petitioners. The other independent witnesses in paragraphs 127,128,129,130 and 131 have stated that they have heard that the petitioners and others have committed murder of the deceased.

In this manner, mere suspicion has been raised against the petitioners as mentioned in the case diary in the aforesaid paragraphs. The petitioners have clean antecedent as mentioned in paragraph-3 of the bail petition.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Naugachhia P.S. Case No. 52 of 2015, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Naugachhia, subject to the



conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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