

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12466 of 2017

Arising Out of PS.Case No. -251 Year- 2015 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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1. Sonu Mahto ,
2. Ranu Mahto Both Sons of Surendra Mahto, Resident of Village- Saraiya
Pipra, P.S.- Govindganj, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Ram Sevak Choudhary, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-04-2017 Heard both sides.

The petitioners seek bail in Govindganj P.S. Case No. 251 of 2015, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The informant named Surendra Mahto, Ranu Mahto, Sonu Mahto the petitioners, Mannu Mahto, Umrawati Devi and Suman Devi and alleged that they started constructing their house after encroaching on her land. When her husband Gopichand Mahto protested the accused persons assaulted him with stick and her husband fell down on the ground and died while going to the hospital.

Learned counsel for the petitioners submits that six



persons are alleged to have assaulted the husband of the informant but no external or internal injury was found on the body of the deceased and on similar facts Umarawati Devi and Suman Devi have been granted anticipatory bail vide order passed in Cr. Misc. No. 31167 of 2016 on 09.08.2016.

Learned APP however submits that from perusal of the inquest report, it would appear that the deceased got blackening on account of assault on armpit and back.

It appears that the petitioners and others are alleged to have assaulted the deceased with stick, but from perusal of the post-mortem report it appears that no external or internal injury was found and cause of death could not be ascertained.

Considering the facts aforesaid the petitioners above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the 1st Additional Chief Judicial Magistrate, East Champaran at Motihari in Govindganj P.S. Case No. 251 of 2015.

(Prabhat Kumar Jha, J.)

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