

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54497 of 2016

Arising Out of PS.Case No. -546 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. CHANDESHWAR MAHTO @ CHANDESAR MAHTO, Son of Late Durgi Mahto,
2. Urmila Devi, wife of Chaneshwar Mahto, Both are resident of Village- Jahangirpur, Salkhani, P.S.- Mahua, District- Viashali,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra, Adv.

For the Opposite Party/s : Mr. Sri Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-01-2017

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that though FIR is lodged against the petitioners and others under Section 302 and other Sections of the Indian Penal Code, but, as a matter of fact, there is delay of 50 days in lodging of the FIR.

It has further been submitted that Petitioner No. 1 is father-in-law and Petitioner no. 2 is mother-in-law of the deceased. It is alleged that the deceased had gone to his Sasural where the dead body was found in an orchard but the wife of the deceased had already lodged UD case at that time which is Annexure-2 to this



petition. It has also been submitted that other co-accused persons have been granted anticipatory bail by this Hon'ble Court vide order dated 21.10.2016 passed in Cr. Misc. No. 42942/2016.

Heard learned Additional Public Prosecutor also.

Having heard both sides, in view of the aforesaid facts and the fact that other co-accused, on similar allegation, have already been granted privilege of anticipatory bail by this Hon'ble Court, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks, 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 learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 546/2015, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with further condition that the petitioner will co-operate in the investigation of the case and he will make available himself before the police/court, as the case may be, as and when required.

(Vinod Kumar Sinha, J.)

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