

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19713 of 2017

Arising Out of PS.Case No. -235 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

- =====
1. Kalej Mahto, S/o Nauhak Mahto,
 2. Nanhak Mahto, S/o Sheobhajan Mahto,
 3. Malti Devi, W/o Nauhak Mahto,
 4. Jitan Mahto @ Jitendra Mahto, Son of Nauhak Mahto,
 5. Chandan Mahto, S/o Nauhak Mahto,
 6. Nitu Devi, W/o Chandan Mahto, All resident of village - Ram Nagar,
P.S. Chapra Muffasil, Distt. Saran (Chapra).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh
For the Opposite Party/s : Mr. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 29-05-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

At the very outset, learned counsel for the petitioners informed to this Court that petitioner No.1 Kalej Mahto, who is husband of the deceased, has been apprehended and as such the application filed on behalf of petitioner No.1 Kalej Mahto has become infructuous.

In view of the above, the application filed on behalf of the petitioner No.1 Kalej Mahto is dismissed as withdrawn.

The remaining petitioners i.e. Petitioner Nos. 2 to 6 apprehend their arrest in connection with Chapra Muffasil P.S. Case no. 235 of 2016, registered under Sections 304(B), 120(B) and 201/34



of the Indian Penal Code.

In paragraph No. 5 of the petition, there is specific statement that petitioners have falsely been implicated in this case as a counter blast of Bheldi P.S. Case No. 50 of 2016 filed by the petitioner Nauhak Mahto. The present case was registered after lapse of seven months of lodging of Bheldi P.S. Case No. 50 of 2016. There is no explanation and the conduct of the informant in the instant case does not appear to be natural.

Having regard to the facts and circumstances of the case and the statement made in paragraphs Nos. 3, 5 and 7 of the petition, I am inclined to allow this application. Let the above petitioners i.e. petitioner Nos.2 to 6 be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt or production of this order, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran, Chapra in connection with Chapra Muffasil P.S. Case No. 235 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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