

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6695 of 2017

Arising Out of PS.Case No. -403 Year- 2015 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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Prem Mahto @ Prem Chandra Prasad, Son of Jagdeo Mahto, Resident of
Village- Laukhan Tola Koraiya, P.S. Ghorasahan, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Ghorasahan P.S.Case No. 403/2015 for the offences punishable under sections 379, 328, 307, 323, 504/34 of the Indian Penal Code and later on section 302 of the Indian Penal Code was also added.

The allegation in brief is that the accused persons asked him to carry the bag of illegal arms while the informant was going to attend the natural call. On his refusal it is alleged that the accused persons pinned him down on earth and poured some poisonous substance in his mouth. Thereafter the accused persons brought him to outside the Police Station and escaped away.

Submission is that the petitioner is co-villager and land dispute exists between both sides. The complainant died due to cardiac respiratory failure on account of chronic heart disease. The



postmortem report also confirms that he was not poisoned rather died due to cardiac respiratory failure and this petitioner has been falsely implicated in this case due to land dispute. The other co-accused having similar allegation have been granted anticipatory bail by a co-ordinate Bench of this Court by the order dated 4.8.2016 passed in Cr.Misc.No. 24179/2016.

Having considered the said facts and circumstances, the petitioner Prem Mahto @ Prem Chandra Prasad, in the event of his arrest or surrender before the court below within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-divisional Judicial Magistrate, Sikrahna at Dhaka, East Champaran in Ghorasahan P.S.Case No. 403/2015, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Arun Kumar, J)

Surendra/-

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