

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35125 of 2018

Arising Out of PS.Case No. -26 Year- 2015 Thana -KISHUNPUR District- SUPAUL

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1. Ramchandra Mehta,
2. Rajo Mehta, Both sons of Harihar Mehta, resident of Village- Bagewa,
Police Station- Kishanpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-07-2018

Heard the counsels for the parties.

The petitioners seek bail in connection with Kishanpur P.S. Case No. 26/2015 dated 07.02.2015 instituted for the offences under Sections 364, 120(B) and 34 of the Indian Penal Code, but later on, Sections 364, 302, 201, 120B and 34 of the Indian Penal Code were also added.

The son of the informant went out of his house on 21.01.2015 but did not return till late in the night. His mobile telephone was found to be switched off. Since the son of the informant was looking after the family litigation pending between the petitioners and him, he suspected that perhaps, the petitioners have caused this disappearance of his son and have killed him. The son of the informant is said to have come out of the house on 21.01.2015 but the case was lodged on 07.02.2015. Much later, one



Sukhdeo Mahto gave a statement before the police, which has been recorded in para 51 of the case diary that the deceased was seen going along with one Lalan Chaudhary and Chandan Chaudhary on a motorcycle and the petitioner was also following them on another motorcycle. Apart from this, no other material has been collected against the petitioners. Similar statements have been made by other witnesses belatedly, which has been recorded in paras 52, 59 and 60 of the case diary. The aforesaid two persons, viz. Lalan Chaudhary and Chandan Chaudhary have been granted bail by a Bench of this Court in Cr. Misc. Nos. 38002/2015 and 40592/2015 respectively.

Regard being had to the nature of accusation, the reason for suspecting the petitioners being only because of an earlier civil litigation between the parties and the period of custody of the petitioners which is from 30.04.2018, they are directed to be released on bail on their furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Supaul in connection with Kishanpur P.S. Case No. 26/2015.

(Ashutosh Kumar, J.)

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