

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.62546 of 2017**

Arising Out of PS.Case No. -159 Year- 2017 Thana -BITHAN BAZAR District- SAMASTIPUR  
=====

1. Bindeshwari Mahto Son of Late Dunilal Mahto  
2. Bhatu Mahto, Son of Late Guneshwar Mahto,  
Both resident of Village- Pusaho, P.S.- Bidhan, District- Samastipur.  
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s  
=====

**Appearance :**

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. Tapeswar Sharma  
=====

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

2      10-01-2018      Heard learned counsels for the petitioner and the State.

The petitioners, already in custody, seek bail in connection with Bithan P.S.Case No. 159 of 2017 registered under Sections 302/34 of Indian penal Code and Section 27 of Arms Act.

Allegation in brief is that four persons stopped the motorcycle of the deceased on the way and shot at him causing his death and, three persons are named in the FIR and one is unknown.

Learned counsel for the petitioners submits that petitioners are not named in the FIR and there is no material against them except disclosure of the names of the petitioners as a conspirators in the confessional statement of one Pankaj Kumar Mahto and the petitioners are in custody since 18.09.2017 and the petitioner no. 2 has no criminal antecedent and the petitioner no. 1 has only one



criminal antecedent, a case under Sections 379 and 504 of I.P.C.

Having considered the aforesaid facts and circumstances, the petitioners, namely, Bindeshwari Mahto and Bhatu Mahto are directed to be released on bail upon furnishing bail bond of Rs. 10,000/-each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rosera, Samastipur in connection with Bithan P.S. Case No. 159 of 2017.

**(Arun Kumar, J)**

Sujit/-

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