

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20745 of 2018

Arising Out of PS. Case No.-438 Year-2017 Thana- NAUBATPUR District- Patna

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1. Raghuvendra Kumar @ Raghuvendra Mahto @ Raghavendr Mahato, S/o Ranjeet Mahto
 2. Amarjeet Mahto S/o Late Shivnandan Mahto, R/o Village-Nizampur, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

Criminal Miscellaneous No. 21831 of 2018

Arising Out of PS. Case No.-438 Year-2017 Thana- NAUBATPUR District- Patna

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1. Ranjeet Kumar @ Ranjeet Mahto, S/o Shivnandan Mahto,
 2. Jitendra Mahto S/o Ranjeet Kumar @ Ranjeet Mahto, Both are R/o Nizampur, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 20745 of 2018)

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Rajballabh Singh

(In Criminal Miscellaneous No. 21831 of 2018)

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

5 27-06-2018 Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners, already in custody, seek bail in connection with Naubatpur P.S. Case No.438 of 2017 registered under Sections 302/120(B)/34 of the Indian Penal Code.



Allegation in brief is that the accused persons were threatening the deceased to withdraw the case earlier filed by him against them; when he did not pay heed to the pressure, suspicion is raised that after killing him by throttling dead body was thrown.

Learned counsel for the petitioners submits that merely suspicion is raised against the petitioners, there is no eye witness in the present case and the petitioners have been implicated in this case merely on suspicion; whereas the learned counsel for the State and the informant submit that the petitioners used to threaten the deceased prior to the occurrence for withdrawal of the case and the petitioners Amarjeet Mahto and Ranjeet Kumar @ Ranjeet Mahto have criminal antecedents as reflected in order of Cr. Misc. No.7022 of 2018 whereby their anticipatory bail was refused but this fact was suppressed in paragraph-3 of the petition as it is mentioned that the petitioners bear no criminal antecedent.

Having considered the aforesaid facts and circumstances and in particular suppression of criminal antecedents by two of the petitioners, namely, Amarjeet Mahto (petitioner of Cr. Misc. No.20745 of 2018) and Ranjeet Kumar @ Ranjeet Mahto (petitioner of Cr. Misc. No.21831 of 2018), the prayer of bail of petitioners, namely, Amarjeet Mahto (petitioner of Cr. Misc. No.20745 of 2018) and Ranjeet Kumar @ Ranjeet Mahto



(petitioner of Cr. Misc. No.21831 of 2018) is rejected.

However, petitioners, namely, Amarjeet Mahto (petitioner of Cr. Misc. No.20745 of 2018) and Ranjeet Kumar @ Ranjeet Mahto (petitioner of Cr. Misc. No.21831 of 2018) may renew their prayer of bail six months after framing of charge.

So far as petitioners, namely, Raghuvendra Kumar @ Raghuvendra Mahto @ Raghavendr Mahato (petitioner of Cr. Misc. No.20745 of 2018) and Jitendra Mahto (petitioner of Cr. Misc. No.21831 of 2018) are concerned, as they have got no criminal antecedent, they are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-1st, Danapur in connection with Naubatpur P.S. Case No.438 of 2017.

(Arun Kumar, J)

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