

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26426 of 2018

Arising Out of PS.Case No. -5 Year- 2014 Thana -EKCHARI District- BHAGALPUR

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1. Matru Mahto S/o Late Baijnath Mahato, R/o Vill.- Gandhi Gram, Bind Toli, P.S.- Kursela, District- Katihar, at present residing in Vill.- Mohanpur, P.S.- Rupouli, District- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Ahtash Ali Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 25-06-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, already in custody, seeks bail in connection with Ekchari P. S. Case No. 05 of 2014 (bearing G.R. No. 1685 of 2014), registered under Sections 147, 148, 149, 364, 302, 201 and 120(B) of the Indian Penal Code.

The allegation in brief, is that the petitioner along with others is alleged to have taken away the husband of the complainant after assaulting him and thereafter, the complainant heard the sound of firing and as such, the complainant presumed that her husband was killed.

Learned counsel for the petitioner submits that complaint was filed after lapse of four days from the date of



occurrence and there is no eye witness to the occurrence and the petitioner seeks bail on the ground of parity as two accused persons namely Prakash Mandal and Sumit Mandal @ Subhash Mandal have been granted the privilege of bail vide order dated 09.10.2015 passed in Cr. Misc. No. 39173 of 2015 and vide order dated 07.09.2017 passed in 41513 of 2017. It is also submitted that the petitioner is in custody since 31.01.2018.

Having considered the said facts and circumstances, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Ekchari P.S.Case No. 05 of 2014 bearing G.R. No. 1685 of 2014.

(Arun Kumar, J)

Sudha/-Sneha

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