

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56289 of 2019

Arising Out of PS. Case No.-1329 Year-2012 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Upendra Thakur, Son of Late Doman Thakur, Resident of Village - Radhakant, P.S.- Basopatti, District- Madhubani
 2. Gyan Kumar Mahto @ Gyan Kumar, Son of Shri Krishndeo Mahto Resident of Village - Radhakant, P.S.- Basopatti, District- Madhubani
 3. Suryadeo Mahto, Son of Jhingur Mahto, Resident of Village - Barkurba, P.S.- Jainagar, District- Madhubani
 4. Ramlal Thakur, Son of Bechan Thakur, Resident of Village - Radhakant, P.S.- Basopatti, District- Madhubani
 5. Yogendra Thakur, Son of Late Sajjan Thakur, Resident of Village - Radhakant, P.S.- Basopatti, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Devendra Mahto, Son of Late Mohan Mahto, Resident of Village - Radhakant, P.S.- Basopatti, District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 11-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 1329 of 2012 registered under Sections 302, 201 and 120(B)/34 of the Indian Penal Code.

The accusation is that after taking the dinner in the night of 10.10.2008, Mohan Mahto, father of the complainant,



Devendra Mahto, went to slip at his *Dalan*. In the next morning, the complainant woke up and went towards the Dalan but he did not find his father, while slipper and Gamcha of his father were kept, regarding which, informant did not take any heed at that time. When his father did not return then complainant started to search his father at the house of his relatives but he could not find his father. Thereafter, in the evening of 15.10.2008, in course of searching of his father, he came to know that dead body of his father was lying in the field of Bechan Mahto. The informant disclosed the name of 18 persons, as detailed in the compliant petition including the petitioners, having hand in the murder of his father due to land dispute.

Learned counsel for the petitioners submits that after institution of Basopatti P.S. Case No. 190 of 2008, on 15.10.2008 under Sections 302, 201 and 120(B)/34 of the Indian Penal Code in respect to murder of Mohan Mahto, father of the complainant Devendra Mahto, the police on investigation, submitted the final form on 29.12.2010 but the protest petition filed by the informant in the year 2010 treated as Complaint Case No. 1329 of 2012, in which, petitioners and others have been summoned on 05.02.2018. The petitioners have no criminal antecedent.



Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Madhubani, in connection with Complaint Case No. 1329 of 2012, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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