

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46696 of 2019

Arising Out of PS. Case No.-252 Year-2019 Thana- BAGHA District- West Champaran

1. Shiv Kumar Mahto, aged about 60 years, male, S/o Late Sitaram Mahto, Resident of Village- Nawka Tola, Badgano, P.S.- Bagaha, District- West Champaran.
2. Fulwanti Devi aged about 58 years, female, W/o Shiv Kumar Mahto Resident of Village- Nawka Tola, Badgano, P.S.- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s :	Mr. Jitendra Kumar Singh, APP
For the Informant :	Mr. Sachida Nand Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 30-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Bagaha P.S. Case No. 252/2019 registered under sections 302/34 of the IPC.

The allegation against the petitioners is that the petitioners along with other accused person killed the seven months old son of the informant.

Mr. Bimlesh Kumar Pandey, learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case with oblique motive



inasmuch as the petitioners are the grand father and grand mother of the deceased 7 month old boy. Learned counsel further submits that the husband of the informant and the father of the deceased has been granted anticipatory bail by this Court in Criminal Miscellaneous Case No. 49320 of 2019.

Learned counsel appearing for the informant as well as State vehemently opposed the prayer of anticipatory bail and submits that the petitioners are named in the first information report and the son of the informant has been killed by strangulation, accordingly the petitioners did not deserve the privilege of anticipatory bail.

Having regard the submission made by the parties and taking into consideration the fact that father of the deceased has been granted anticipatory bail by this Court and the petitioners are grand parents of the deceased, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M Ist



Bagaha, West Champaran, in connection with Bagaha P.S. Case
No. 252/2019, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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