

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52917 of 2019

Arising Out of PS. Case No.-404 Year-2018 Thana- BARARI District- Katihar

1. Bijay Mahto @ Vijay Mahto Son of Late Nepali Mahto Resident of Village - Gobarahi, P.S.- Kursela, Distt - Katihar.
2. Sita Ram Mahto Son of Late Chamak Lal Matho Resident of Village - Gobarahi, P.S.- Kursela, Distt - Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav
For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-08-2019 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners seek bail in a case registered under Sections 302, 201/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation is that accused Upendra Mahto assaulted the informant's brother with lathi and accused Kariman Mahto and Kanaklall Mahto fired on informant's brother, due to which he died. Other accused persons pulled the dead body of the deceased towards river Ganga.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 3.1.2019 and petitioner No.2



has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. Allegation of assault is alleged against co-accused Upendra Mahto, Kariman Manto and Kanaklall Mahto. So far the petitioners are concerned, no allegation of assault is against them. No specific injury is attributed against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, 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 Sessions Judge, Katihar in connection with S.T. No.144 of 2019 arising out of Barari P.S. case No.404 of 2018.

(Sudhir Singh, J)

Narendra/-

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