

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20984 of 2020

Arising Out of PS. Case No.-46 Year-2013 Thana- MADHAURAH District- Saran

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1. Binod Kumar @ Vinod Mahto, Son of Parmeshwar Mahto Resident of Village - Lalapur, P.S.- Marhora, Dist.- Saran at Chapra
 2. Lilawati Devi, Wife of Vinod Mahto Resident of Village - Lalapur, P.S.- Marhora, Dist.- Saran at Chapra
 3. Lalak Kumari @ Manju @ Manju Kumari, Daughter of Parmeshwar Mahto Wrongly mentioned as wife of Parmeshwar Mahto, Resident of Village - Lalapur, P.S.- Marhora, Dist.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha- Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 06-11-2020 The office has pointed out some defects to which learned counsel for the petitioners assures that the defects shall be removed when Court starts normal function.

Heard learned counsel appearing for the petitioners as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners apprehend their arrest in connection with Marhowrah P. S. Case No.46 of 2013 registered for the offences punishable under Sections 341, 323, 307, 302, 34 of the I.P.C.

Originally, informant filed complaint case, which was converted into the above stated Marhowrah P. S. Case



No.46 of 2013. However, after investigation, police submitted charge-sheet against other accused whereas petitioners were not sent up for trial, but the learned Magistrate having differed with the findings of the police, took cognizance against petitioners also.

The perusal of first information report goes to show that no overt act has been attributed against the petitioners.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall 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 Additional Chief Judicial Magistrate, 2nd, Saran at Chapra in connection with Marhowrah P. S. Case No.46 of 2013, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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