

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30266 of 2020

Arising Out of PS. Case No.-84 Year-2020 Thana- PAHARPUR District- East Champaran

1. SUDAMA MAHTO S/o Shree Mahato R/o Vill.-Siswa Kanhi Tola, P.S.-Paharpur, Distt.-East Champaran.
2. Sonalal Mahto S/o Surat Mahto R/o Vill.-Siswa Kanhi Tola, P.S.-Paharpur, Distt.-East Champaran.
3. Rina Devi W/o Sudama Mahto R/o Vill.-Siswa Kanhi Tola, P.S.-Paharpur, Distt.-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks from the date of restoration of normalcy.

Learned counsel for the petitioners seeks permission of the Court to withdraw this application in respect of petitioner no. 1 as he has been taken into judicial custody.

Permission is accorded.



The application is dismissed as withdrawn in respect of petitioner no. 1.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioner nos. 2 and 3 are apprehending their arrest in a case registered under Section .

The prosecution case, in short, is that the accused persons assaulted the wife of the informant due to which she died.

It has been submitted on behalf of the petitioners that the petitioner nos. 2 and 3 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 2 and 3. The name of the petitioner nos. 2 and 3 have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner nos. 2 and 3. As far as offence under section 302 IPC is concerned, the allegation is against the co-accused Vikram Mahto. As far as petitioner no. 3 is concerned, she is a lady.

On behalf of the State, it is submitted that the petitioner nos. 2 and 3 are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner nos. 2 and 3, above named, in the event of



arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Sadar, Motihari, East Champaran in connection with Paharpur P.S. Case No. 84 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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