

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32534 of 2020

Arising Out of PS. Case No.-144 Year-2017 Thana- RAJNAGAR District- Madhubani

1. MANOJ KUMAR MAHTO Son of Yamuna Prasad Mahto Resident of Village- Khaira, P.S.- Bhairawnath, District- Madhubani.
2. Satosh Mahto @ Santosh Kumar Mahto Son of Rampal Mahto Resident of Village- Jatahi, P.S.- Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra
For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2020 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.

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

The petitioners seek bail in a case instituted for the offences under Sections 302, 201/34 of the Indian Penal Code.

Prosecution case, in short, is that the accused persons



committed murder of the son of the informant and threw his dead body near the road.

It has been submitted on behalf of the petitioner that the petitioner No.1 is in custody since 22.01.2020 and petitioner No.2 is in custody since 22.02.2020 and have got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are not named in the F.I.R. Their name has come in this case on confessional statement of co-accused Ranjeet Mahto. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioners in this case. Other co-accused has been granted bail vide Annexure 2 to the present application by a co-ordinate Bench of this Court.

On behalf of the State, it is submitted that the petitioners are not 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 C.J.M.,



Madhubani in connection with Rajnagar P.S. case No.144 of
2017.

(Sudhir Singh, J)

Narendra/-

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