

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32515 of 2020

Arising Out of PS. Case No.-37 Year-2018 Thana- GHOSWARI District- Patna

1. SULO MAHTO S/o Late Dasrath Mahto Resident of Village-Tar Ter Mirja Khondhi, P.S.-Ghoshwari, District-Patna.
2. Lavlesh Mahto S/o Late Rajendra Mahto Resident of Village-Tar Ter Mirja Khondhi, P.S.-Ghoshwari, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Narsingh Tanti, APP.

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, 120(B), 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the accused persons



committed murder of the husband of the informant.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 26.1.2020 and have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Charge-sheet has been submitted in the present case. The petitioners have falsely been implicated in the present case. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioners in the present case. Neither there is any eye witness to the present case nor there is any substantial evidence to suggest the participation of the petitioners in the alleged occurrence.

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

Considering the aforesaid facts and circumstances, it is directed that 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 J.M. 1st, Barh, Patna in connection with Ghoshwari P.S. Case No. 37 of 2018.

(Sudhir Singh, J)

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