

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30281 of 2021

Arising Out of PS. Case No.-760 Year-2019 Thana- TURKAULIYA District- East
Champaran

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1. Sugi Devi wife of Krit Mahto Resident of Village - Vritiya Locknathpur, P.S.
- Turkauliya, District - East Champaran.
 2. Krit Mahto Son of not known Resident of Village - Vritiya Locknathpur, P.S.
- Turkauliya, District - East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vitesh Kumar Singh

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 13-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Turkauliya P.S. Case No. 760 of 2019, registered for the offence under Section 302/34 of the Indian Penal Code.

As per the prosecution case, on 09.10.2019 at about 9:00 AM, all the FIR named accused persons including this petitioner went to the house of the informant and tried to destroy the hut of the informant and when father of the informant objected, he was brutally assaulted by means of *lathi* and *danda*, as a result of which, during course of treatment, the father of the informant died.



It is submitted on behalf of petitioners that informant and petitioners are *pattidar* and there is land dispute between them. There is general and omnibus allegation. Specific allegation is against co-accused Ajit Mahto, who assaulted the deceased by *lathi*. Petitioners have got clean antecedent and they are in custody since 03.06.2020. Chargesheet has already been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties and the materials available on record, the bail petition of petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran in connection with Turkauliya P.S. Case No. 760 of 2019, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the court below.

(2) If the petitioners tamper with the



evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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