

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27686 of 2020

Arising Out of PS. Case No.-77 Year-2018 Thana- BASANTPUR District- Siwan

1. SUGRIV MAHTO S/o Ramyas Mahto Resident of Village-Bhopatpur Bhartiya, P.S.-Basantpur (Lakari Nabiganj O.P.), District-Siwan.
2. Champa Devi W/o Sugriv Mahto Resident of Village-Bhopatpur Bhartiya, P.S.-Basantpur (Lakari Nabiganj O.P.), District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr. Braj Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-01-2021 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with Sessions Trial No. 133 of 2019, arising out of Basantpur Police Station Case No. 77 of 2018, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

This is the second attempt on behalf of the petitioners for grant of regular bail. Earlier, the prayer for regular bail of the petitioners was rejected by this Court, vide order, dated 04.12.2019, passed in Criminal Misc. No. 72518 of 2019, giving liberty to the petitioners to move an application for grant of regular bail afresh after six months if the trial does not show any



progress.

The allegation against the petitioners is that they, along with other co-accused persons, assaulted the husband of the informant by means of lathi, danda, knife etc., resulting in his death.

Learned Counsel for the petitioners submits that similarly situated co-accused person, namely, Krishna Mahto, has been granted bail by this Court, vide order, dated 19.07.2019, passed in Criminal Misc. No. 14485 of 2019 and the petitioners are in custody since 13.06.2018. He further submits that the trial has not made any progress.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioners are in custody since 13.06.2018 and similarly situated co-accused has been granted bail by this Court, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Accordingly, let the petitioners, above named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge, Siwan, in connection with Sessions Trial No. 133 of 2019, arising out of



Basantpur Police Station Case No. 77 of 2018.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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