

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32950 of 2020

Arising Out of PS. Case No.-337 Year-2018 Thana- MADHAURAH District- Saran

1. Lallan Mahto Son of Late Narsingh Mahto Resident of Village-Rampur, Police Station-Marhowrah, District-Saran at Chapra.
2. Mukesh Mahto Son of Lalan Mahto Resident of Village-Rampur, Police Station-Marhowrah, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 27-01-2021 Heard learned counsel for the petitioners and learned APP for the State. Learned counsel for the petitioners has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioners are in custody since 19.03.2020 in connection with Madhaurah P.S. Case No. 337 of 2018 for the alleged offences under Sections 341, 323, 325, 504, 379/34 and later on added Section 302 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated in connection with alleged murder of the informant. It is submitted that the parties are agnates and the informant is an old lady of 70 years and the dispute had arisen in connection with cutting of bamboo when she fell down and injured herself. The informant was discharged from hospital and thereafter a few days later she died. The petitioners claim clean antecedents.



4. Learned APP refers to the post mortem report in the case diary which does not disclose any recent mark of injury and the cause of death could not be ascertained.

5. Be that as it may and having regard to the period of custody already suffered since 19.03.2020, let the petitioners above named be released on bail on completing one year in custody on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-VIII, Saran at Chapra in connection with Madhaurah P.S. Case No. 337 of 2018, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioners within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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