

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1463 of 2021

Arising Out of PS. Case No.-67 Year-2020 Thana- PIRPAINTI District- Bhagalpur

1. KUNDAN KUMAR MAHTO @ KUNDAN MAHTO SON OF BISHAWANTH MAHTO RESIDENT OF VILLAGE-JANIDIH,P.S-GHOGHA,DISTRICT-BHAGALPUR
2. JITENDRA MAHTO SON OF BISHAWANTH MAHTO RESIDENT OF VILLAGE-JANIDIH,P.S-GHOGHA,DISTRICT-BHAGALPUR.
3. KAVI KUMAR MAHTO @ KAVI MAHTO SON OF BISHAWANTH MAHTO RESIDENT OF VILLAGE-JANIDIH,P.S-GHOGHA,DISTRICT-BHAGALPUR
4. SNEHA KUMARI DAUGHTER OF JITENDRA MAHTO RESIDENT OF VILLAGE-JANIDIH,P.S-GHOGHA,DISTRICT-BHAGALPUR.
5. JEERO DEVI WIFE OF BISHWANATH MAHTO RESIDENT OF VILLAGE-JANIDIH,P.S-GHOGHA,DISTRICT-BHAGALPUR.
6. RAVI KUMAR MAHTO @ RAVI MAHTO SON OF BISHWANATH MAHTO RESIDENT OF VILLAGE-JANIDIH,P.S-GHOGHA,DISTRICT-BHAGALPUR.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Ranjan Kumar Jha
For the Opposite Party/s :	Mr. Pravin Kumar Sinha
	Mr.Rajendra Prasad Nath

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 13-12-2021 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State, assisted by learned counsel for the informant.



The petitioners apprehend their arrest in connection with Pirpainti P.S. Case No. 67 of 2020, registered for the offences punishable under sections 306/34 of the Indian Penal Code.

As per allegation, informant Ranjit Kumar lodged an FIR mentioning therein that his brother (deceased) Sanjeev Yadav @ Chhotu has advanced money to the present petitioner and when he demanded his money back, the petitioner and his family members badly assaulted him and the daughter of the petitioner No. 2 Sneha Kumari lodged a false case against the brother of the informant, whereas there was sweet relationship between the deceased and the daughter of petitioner No. 1, who herself is petitioner No. 4 in this case. The petitioner also demanded money to withdraw the case, as a result whereof the brother of the informant Sanjeev Yadav @ Chhotu (deceased) was in depression and he committed suicide by strangulating himself.

Learned counsel for the petitioners has submitted that three months prior to the alleged occurrence, the father of Sneha Kumari (petitioner No. 4), Jitendra Kumar Mahto (petitioner No. 2) has lodged a case against the deceased brother of the informant namely Sanjeev Yadav @ Chhotu alleged under



Section 376/511 for attempt to commit rape upon petitioner No. 4.

On the other hand, learned Additional P.P. has opposed the prayer for bail of the petitioners.

Considering the fact that petitioner No. 2 Jitendra Kumar Mahto has lodged a case three months prior to the occurrence for committing attempt to rape against deceased Sanjeev Yadav @ Chhotu, let the petitioners be released on bail in the event of their arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bhagalpur in connection with Pirpanti P.S. Case No. 67 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed 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.

(Nawneet Kumar Pandey , J)

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