

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43797 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- KALYANPUR District- East Champaran

1. Ratan Mahto @ Raja Babu Son Of Yodha Mahto Resident Of Village -Basdeo Chapra, P.S.- Kalyanpur, Distt.- East Champaran.
2. Dashrath Mahto Son Of Yodha Mahto Resident Of Village -Basdeo Chapra, P.S.- Kalyanpur, Distt.- East Champaran.
3. Kishori Devi W/O Yodha Mahto Resident Of Village -Basdeo Chapra, P.S.- Kalyanpur, Distt.- East Champaran.
4. Nilu Devi W/o Ratan Mahto Resident of Village -Basdeo Chapra, P.s.- Kalyanpur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-12-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under Sections 302/34 of Indian Penal Code.

As per FIR, all the accused persons including these petitioners came to the house of the informant, surrounded his wife and assaulted and killed her. It is further alleged that petitioner No. 1, 3 and one co-accused caught Rita Devi and petitioner No. 2 pressed her mouth. Thereafter, co-accused



Yodha Mahto cut the vein of the left hand of Rita Devi and due to heavy bleeding she died.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Specific accusation of cutting the vein of the deceased, Rita Devi, is against Yodha Mahto. So far these petitioners are concerned, there is no specific allegation of over act against them. Petitioner have got clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioners in the event of their arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged 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 Additional Chief Judicial Magistrate-3, Motihari, East Champaran in Kalyanpur P. S. Case No. 1 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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