

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46453 of 2022

Arising Out of PS. Case No.-182 Year-2016 Thana- KANTI District- Muzaffarpur

1. Jai Kishun Mahto Son of Late Nagina Mahto Resident of village - Bangari, P.S.- Kanti, District - Muzaffarpur.
2. Bipin Kumar Son of Jai Kishun Mahto Resident of village - Bangari, P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 307 and other allied sections of the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons including petitioners brutally assaulted the husband of informant as a result of which he died during course of treatment.

It is submitted that due to land dispute between the parties, petitioners have been falsely implicated in this case. The falsity of the prosecution case is apparent from the postmortem



report of the deceased in which no ante-mortem injury was found on the person of deceased and the doctor has found the cause of death due to disease of lungs, liver and heart. It is further submitted that the informant in her restatement has denied the presence of petitioners at the place of occurrence. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to 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 the learned Sub-Divisional Judicial Magistrate, (West) Muzaffarpur in connection with Kanti P.S. Case No. 182 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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