

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24686 of 2023

Arising Out of PS. Case No.-172 Year-2022 Thana- DALSINGHSARAI District- Samastipur

1. BIMLA DEVI Wife of Kushewar Mahto Resident of Village - Banghara Ward No.- 15, P.S.- Dalsingh Sarai, District - Samastipur.
2. Laxmi Devi Wife of Anand Murti @ Chintu Mahto Resident of Village - Banghara Ward No.- 15, P.S.- Dalsingh Sarai, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for bail in a case
instituted for the offence under Sections 363, 364, 302, 201/34
of the Indian Penal Code.

It is a case of abduction of informant's son, aged
about five years by some unknown persons and later on his dead
body was recovered .

It is submitted by learned counsel for the petitioners
that petitioners have been falsely implicated in this case. On
18.5.2022 first FIR was lodged against unknown regarding
kidnapping of the informant's son. After recovery of dead body



of his son, another FIR was lodged on 20.5.2022 implicating the petitioners including their entire family members. During investigation no consistent evidence has come against these petitioners to show their involvement in the present case. Both the petitioners are ladies of 60 and 65 years old. Both parties are agnates and land dispute is going on between them. Co-accused Anand Murti @ Chintu Mahto, husband of petitioner no. 2 has confessed his guilt. In para 93 and 95 of the case diary his self confessional statement was recorded in which he accepted that he has committed murder of the informant's son by slitting his throat by sharp cutting weapon *hasuli* and threw his dead body in chawar and on his instance used weapon was recovered. Specific allegation of committing murder is against Anand Murti @ Chintu Mahto and not against these petitioners. No one is the eye witness of the occurrence. Only on the basis of suspicion, name of petitioners were dragged in the present case. They have got clean antecedent and both are languishing in judicial custody since 21.5.2022

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is



inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned ACJM 1st, Dalsingh Sarai in connection with Dalsingh Sarai P.S. Case No. 172 of 2022.

(Sunil Kumar Panwar, J)

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