

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15874 of 2024

Arising Out of PS. Case No.-1261 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Mannu Mahto, aged about 20 years (M), Son of Gauri Mahto, Resident of
Village- Badharwa, Ward No. 10, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : M/S. Abhishek Kumar and Hemant Ray, Advocates
For the Opposite Party : Mr. Upendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 06-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Turkauliya P.S. Case No. 1261 of 2023 dated 15.12.2023
registered for the offences punishable under Sections 302 and
201/34 of the I.P.C.

3. As per the prosecution case, on 14.12.2023 at about
5.00 P.M., when the informant came to her house after doing the
work in the field of other person, she saw that some persons
were coming from her house and when she went in her house,
she saw that her daughter Kabita Kumari is lying there in naked
position. She touched the body of her daughter but there was no
response and her daughter was not breathing and thereafter the



informant came to conclusion that her daughter Kabita Kumari has died. The persons who were coming from her house are Mannu Mahto (petitioner), Gauri Mahto, Mehilal Mahto and Tuffan Mahto and land dispute was going on between them since earlier and they had also threatened the informant to kill her family members and the informant is confident that all the aforesaid persons have committed murder of her daughter. Thereafter, all the accused persons confined the informant in her house and they cremated the dead body of her daughter and the accused persons also threatened the informant not to go to the police station and the matter will be compromised in the *panchayati*. The husband of the informant is not living with the informant because he has performed his second marriage and no one is to look after the informant and the informant maintained her children by doing labourer work in the field of other persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is general and omnibus allegation against the petitioner. The entire family members of the petitioner have been roped in the present case. It is further submitted that from perusal of the F.I.R. itself, it appears that



there is admitted land dispute between the parties. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 16.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Turkauliya P.S. Case No. 1261 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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