

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37929 of 2014**

Arising Out of PS.Case No. -42 Year- 2013 Thana -SHEIKHOPUR SARAI District- SEKHPURA

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Mukesh Mahto, S/o - Gopali Mahto, R/o Village - Dobadih, P.S. -  
Shekhopur Sarai, District - Sheikhpura.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**ORAL ORDER**

2      14-01-2015

The petitioner is the husband of late Reeta Devi. She died on 01.10.2013. Her father submitted a complaint against the petitioner and her family members alleging offence under Sections 302, 201, 498A read with 34 of the Indian Penal Code. The petitioner was arrested. He filed B.P. No.151 of 2014 before the Court of learned Additional Sessions Judge, Sheikhpura. The application was dismissed on 01.08.2014 Hence, this application under Section 439 of the Code of Criminal Procedure.

Heard Sri Surendra Kumar Singh, learned counsel for the petitioner and Sri Ajit Kumar, learned A.P.P. for the State.

It is brought to the notice of the Court that except the petitioner, rest of the accused have been granted bail at various stages obviously because the investigation was in

progress. The petitioner was not granted bail. It is brought to the notice of the Court that the investigation is completed and the chargesheet has been filed in this case. The record does not disclose any specific overtact on the part of the petitioner. The doctor, who was examined during the course of investigation, is said to have stated that he himself treated the deceased for certain ailment and she died while undergoing treatment.

Hence, this application is allowed. The petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sheikhpura in connection with Sheikhopursarai P.S. Case No.42 of 2013.

**(L. Narasimha Reddy, CJ)**

Sunil/-

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