

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29165 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Om Prakash Mahto Son of Nandlal Mahto resident of village - Ghoswar,
P.S. Hajipur Sadar, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishor

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 29-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Hajipur
Sadar P.S. Case No. 09 of 2015 registered for the offences
punishable under Sections 302 and 201/34 of the Indian Penal
Code.

Allegedly Priyanka Devi, the daughter of the informant
was married to the petitioner in the year 2001 and as the petitioner
was having illicit relationship with his Bhabhi which was being
opposed by the daughter of the informant, resulting the petitioner
and other family members killed her and made the dead body
traceless.



Submission is of false implication and that the petitioner being law abiding citizen has voluntarily surrendered. As a matter of fact the wife of the petitioner died due to severe cold attack and when she was brought for treatment at Raj Rajeshwari Hospital and Trauma Centre, she died and to this effect a joint petition signed by villagers was filed before the S.P. but without proper investigation chargesheet has been submitted resulting the petitioner is suffering in custody and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that there is no eye witness of the occurrence. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Vaishali at Hajipur arising out of Hajipur Sadar P.S. Case No. 09 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each

and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

sushma/-

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