

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6219 of 2016

Arising Out of PS.Case No. -136 Year- 2014 Thana -KHIJARSARAI District- GAYA

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Shiv Balak Mahto Son of Late Anandi Mahto, Resident of Village -
Degaon, P.S. - Khizirsarai, District - Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satya Veer, Advocate.

For the Opposite Party : Mr. Dr. M.K. Gautam (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sessions
Trial No. 40/15/198/15 arising out Khizirsarai P.S. Case No. 136
of 2014 registered for the offences punishable under Sections 302,
201 and 328/34 of the Indian Penal Code.

The petitioner is named in First Information Report
with allegation that he and other co-accused killed Ranjit Kumar
Verma either by administering poison or by strangulating him.

Submission is of false implication and that only on
suspicion the petitioner has been named, no one has seen the
actual killing of the deceased nor the dead body of the deceased
was recovered from the house of the petitioner and in this case

similarly situated co-accused Chameli Devi and Champa Kumari have been allowed pre-arrest bail vide Cr. Misc. No. 228 of 2015 and 11656 of 2015 respectively by another coordinate Bench of this Court.

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

In the facts and circumstances stated above, 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 like amount each to the satisfaction of learned Additional Sessions Judge-VIth, in connection with Sessions Trial No. 40/15/198/15 arising out of Khizirsarai P.S. Case No.136 of 2014, subject to 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.)

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