

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10709 of 2016**

Arising Out of PS.Case No. -112 Year- 2015 Thana -GOGRI District- KHAGARIA

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1. Manish @ Rikesh Mahton Son of Dharo Mahton, Resident of Village -  
Paura, P.S. - Gogri (Paura O.P.), District - Khagaria.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Dr.Kr.Uday Pratap(App)

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

3      27-04-2016                      Heard the learned counsel for the petitioner as well as  
  
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences  
punishable under sections 304 (B) and 201/34 of the I.P.C

Julee Devi, the daughter of the informant, was married  
to the petitioner in the year 2010 and out of the wedlock two  
daughters were born and allegedly the petitioner informed the  
informant that his daughter is ill and was being brought to Patna  
for treatment but in the way she died and thereafter the dead body  
of the daughter and the grand daughter were made traceless by the  
petitioner and other in-laws.

Submission is of false implication and that during  
investigation the witnesses vide paragraphs- 10, 13 and 14 of the



case diary have not supported the prosecution version and they have stated that the wife of the petitioner gave birth of a daughter ten days ago but the newly born child died and then Julee Devi became also seriously ill and when she was being brought for treatment she died in the way, the informant after realizing the truth has filed petition to this effect in the learned court below itself and the informant was also present in the cremation of his daughter, other co-accused Dharo Mahto and others have been allowed pre-arrest bail and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. fairly submits that now the informant is not ready to support the prosecution version.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Khagaria in Gogri (Poura) P.S. Case No. 112 of 2015, subject to the conditions that one of the bailors must be a 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)**

Abhay/-

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