

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55027 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -MARHAURA District- SARAN

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Jawahir Mahto @ Jawahar Mahto, Son of Late Shankar Mahto, resident of
Village- Chanda, Police Station- Marhowrah, District- Saran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party : Mr. Uday Chand Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail, which was earlier rejected vide order dated 06.01.2016 passed in Cr. Misc. 43642 of 2015, on the ground that the petitioner is suffering in custody since 27.05.2015, having no criminal antecedent, the wife of the petitioner, due to some dispute, committed suicide by consuming a tablet of potassium sulphate and petitioner tried his best to get her treatment and brought her to Sadar Hospital, Chapra and, as such, the petitioner deserves sympathetic consideration. Further the trial has not been concluded in stipulated period and only charges have been framed and no prosecution witness has been examined and the petitioner



was given liberty to renew his prayer for bail.

The learned A.P.P. submits that the petitioner is the husband.

In the facts and circumstances stated above, considering that in near future the trial is not likely to be concluded, there is no chance of tampering with the prosecution evidence and, as such, the petitioner 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 the learned Additional Sessions Judge- X, Saran at Chapra, arising out of S.Tr. No. 74 of 2016, in connection with Marhowrah P.S. Case No. 37 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.)

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