

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45401 of 2015

Arising Out of PS.Case No. -209 Year- 2015 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Gyani Mahto son of late Arjun Mahto, resident of village- Bairagi Tola
Bakhari, Police Station- Kalyanpur, District- East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

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

4 29-01-2016 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 302, 201 and 120 (B)/34 of the I.P.C

Allegedly, Sangeeta Devi, the daughter-in-law of the
informant, was killed and her dead body was found thrown. Near
the dead body her daughter Kajal was also there and it is claimed
that the petitioner and other co-accused have killed her and earlier
they have caused threats also as she has lodged case against the
petitioner and others for outraging her modesty.

Submission is of false implication and that besides
suspicion there is nothing against him, the confessional statement

of co-accused Ashok Kumar Yadav naming the petitioner has got no evidentiary value in the eye of law and only on suspicion he is suffering in custody since 30.07.2015.

The learned A.P.P. submits that the petitioner is named and further the co-accused confessing his guilt has named the petitioner also.

In the facts and circumstances as stated above, considering that there is no direct evidence against the petitioner and as such considering his detention, now he 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 Shri D. Kumar, J.M. 1st Class, Motihari District-East Champaran in Kalyanpur P.S. Case No. 209 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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