

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16619 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -RASULPUR District- SARAN

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Kushahar Mahto Son of Late Sudeshi Mahto Resident of Village-Rasulpur
P.S.-Rasulpur Dist-Saran Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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

ORAL ORDER

3 01-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Rasulpur
P.S. Case No. 40 of 2016 registered for the offences punishable
under Sections 304B/34 of the Indian Penal Code.

Allegedly, the sister of the informant was killed due to
non-fulfillment of demand of Rs. 1,00,000/- by her husband and
other in-laws by administering poison.

Submission is of false implication and that the
deceased and her husband were living separately but the petitioner
who is the father-in-law has been implicated in this case falsely,
the petitioner is in custody since 25.04.2016. Suganti Devi the
wife of the petitioner has been allowed bail vide order dated
18.01.2017 passed in Cr. Misc. No. 1601 of 2017 by another co-
ordinate Bench of this Court and as such the petitioner deserves



sympathetic consideration.

Learned APP fairly submits that the petitioner is the father-in-law and mother-in-law has already been allowed 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 the like amount each to the satisfaction of the learned A.C.J.M. 10th, Saran at Chapra in connection with Rasulpur P.S. Case No. 40 of 2016, 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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