

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16391 of 2017

Arising Out of PS.Case No. -9 Year- 2016 Thana -GOBARHIA District-
WESTCHAMPARAN(BETTIAH)

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1. Chandra Kishore Mahto Son of Varan Mahto, resident of village -
Naurangia Don, P.S. Gobarhiya, Sub Division - Ram Nagar, District - West
Champaran, Bihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lalit Narayan Jha

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-05-2017

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 302 of the Indian Penal Code.

Dead body of Siwani Kumari was found hanging
with a tree in a *Jungle*. The post-mortem report reveals that death
was by throttling. Suspicion against the petitioner is because he
had affair with Siwani Kumari.

Learned counsel submits that the case diary
reveals that there is no eye-witness of the occurrence and there is
no material to substantiate that there was differences in the affairs,
therefore, there was no reason for the petitioner to commit murder
of Siwani. She might have been murdered as honour



killing by her family members itself.

Considering the fact that there is no substantial material against the petitioner, let the petitioner, above named, 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 learned Chief Judicial Magistrate, Bagha, West Champaran/successor Court in connection with Gobrahia Police Station Case No. 09 of 2016, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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