

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41606 of 2017

Arising Out of PS.Case No. -136 Year- 2017 Thana -TEKARI District- GAYA

=====

Ajit Kumar Mahto @ Ajit Prasad son of Raj Nandan Singh @ Raj Nandan
Mahto, Resident of Village- Ganga Sagar, P.O.- Pura, Police Station-
Tekari, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Adv.

For the Opposite Party/s : Mr. Sri Uday Chand Prasad, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 06-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
09.04.2017 in connection with Tekari P.S. Case No. 136 of 2017
for offences punishable under Section 302 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that while she went for natural girl her husband had thrown their
baby girl in the well. After returning he confessed his guilt and the
baby girl was found dead in the well.

It has been submitted by the learned counsel for the



petitioner that he is innocent, he is father of the baby girl and has been falsely implicated due to ulterior motive. He submits that no such offence has been committed by him and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He submits that it is improbable that the father would kill his own baby girl and confess his guilt before the informant.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Additional Chief Judicial Magistrate-VI, Gaya in connection with Tekari P.S. Case No. 136 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating their relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on



two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

