

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41651 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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Sudhir Mahto @ Sudhir Kumar Son of Sri Ajay Mahto Resident of Village-
Ratanpura, Police Station- Madhepura(Ghailarh), District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.
Mr. Akhilesh Kumar, Adv.

For the Opposite Party/s : Mr. Pancha Nand Pandit, Adv.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 29-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 20.02.2017 in
connection with Madhepura (Ghailarh) P.S. Case No. 99 of 2017
for offences punishable under Sections 304(B), 201, 504/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter was married to the petitioner two years back and
was tortured for non-fulfillment of demand of motorcycle and
milking cow and ultimately they have killed her and disposed of
the dead body.



It has been submitted by the learned counsel for the petitioner that he is innocent and just because he is the husband, he has been made accused in the present case. He submits that the deceased died due to acute stomach pain which has been supported by the independent witnesses and that the father of the deceased had participated in the cremation ceremony but later on as an afterthought has lodged the present case. He submits that charge-sheet has already been submitted and the petitioner undertakes to co-operate in the trial.

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 Chief Judicial Magistrate, Madhepura in connection with Madhepura (Ghailarh) P.S. Case No. 99 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property, 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)

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