

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38648 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -BAIKUNTHPUR District- GOPALGANJ

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Manoj Mahato, Son of Jhulan Mahato, Resident of Village-Allepur, P.S.
Baikunthpur, District-Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking regular
bail in connection with Baikunthpur P.S. Case No.64 of 2017,
registered for offences alleged under Sections 302, 201/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that a
bare perusal of the First Information Report would show that the
informant got knowledge on 16.03.2017 that his daughter Soni
Kumari, aged about 14 years had gone missing from the house. He
was informed that the family members were searching out for her.
On 19.03.2017 at about 5.00 pm, on Hulla that there is a dead
body in the well of one Ajay Singh, the informant and other co-



villagers went there and found that dead body was that of his daughter. It is further alleged that the wife of the informant told him that in course of search of his daughter, wife of Madan Rai and wife of Lal Babu Rai had abused her. Further he was told that co-villager Manoj Mahato (petitioner) was seen wandering around the house of the informant, therefore he has stated that he got suspicion that the petitioner, wife of Madan Rai and wife of Lal Babu Rai have been involved in killing of his daughter and throwing her dead body in the well. Learned counsel submits that save and except mere suspicion that too for no reason assigned in the FIR, the name of this petitioner has been brought as an accused. In course of investigation also nothing substantial has come against the petitioner and in course of investigation also nobody has come forward to claim that he had seen the occurrence.

Learned APP opposed the prayer for bail.

In the facts and circumstances of the case, considering that there is no eye witness to the occurrence as no such statement is found either in the FIR or in the impugned order and the name of this petitioner has been apparently introduced in the FIR on the basis of suspicion as stated by the informant himself, let the petitioner, namely, Manoj Mahato be enlarged on



bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case No.64 of 2017, subject to the conditions U/S 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

Arvind/-

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