

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40017 of 2017

Arising Out of PS.Case No. -29 Year- 2017 Thana -NAWAKOTHI District- BEGUSARAI

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1. Raj Kumar Mahton, Son of Late Kusheshawar Mahton, Resident of Village-Samsa, P.S.-Naokothi, District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-08-2017 Heard the parties.

The petitioner seeks regular bail in connection with Naokathi P.S.Case No.29/2017, registered for offences punishable under Section 302 of the Indian Penal Code.

Allegation against the petitioner is of thrashing the mother of the informant on the ground causing her death.

Submission of the learned counsel for the petitioner is that both the informant and the petitioner are cousin brother and some dispute arose between the parties, in which some altercation took place and she died in the Hospital and it is also submitted that the postmortem report does not show any external injury on the person of the injured and the petitioner is in custody for about 4 months. The charge-sheet has been submitted. It has also been



submitted that the FIR itself shows that there was no intention to kill the mother of the informant.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Begusarai in connection with Naokothi P.S.Case NO.29 of 2017 dated 18.4.2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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