

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.429 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -DARAUNDHA District- SIWAN

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1. Bharath Mahato, Son of Late Ram Awtar Mahato, resident of Village-Karsaut, Tola- Bhoj Chhapar, Police Station- Daraunda, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Mishra

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-01-2017 The petitioner is in custody since 29.08.2016 in connection with Daraunda P.S. Case No. 121 of 2016, registered for offences punishable under Sections 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that petitioner is the father-in-law of the deceased and no specific allegation has been attributed to him. As a matter of fact that the informant had taken Rs. 1,00,000/- from the husband of the deceased for some work but when he asked the informant to payback the said amount, he denied and, thereafter, the deceased threatened her father that if the said amount is not given, she will commit suicide but the father did not care and resultantly the deceased committed suicide. It has further been submitted that the



petitioner is living separately from his son and has nothing to do with the present occurrence and he has been in judicial custody since 29.08.2016.

Learned counsel for State opposed the prayer of bail .

Having heard both sides, in view of the fact that save and except suspicion, there is nothing against the petitioner, who happens to be the father-in-law of the deceased and also there is no eye-witness to the said occurrence, which took place after nine years of deceased's marriage and out of the said marriage, the deceased had four daughters and one son, as such let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-XI, Siwan, in connection with Daraunda P.S. Case No. 121 of 2016, subject to the 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 cooperate in the disposal



of trial and make himself available as and when required by the court and on the event of failure on his part two appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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