

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23884 of 2017

Arising Out of PS.Case No. -24 Year- 2017 Thana -PHULWARIA District- BEGUSARAI

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1. Sudhir Mahto, son of Late Sikandar Mahto, resident of Village-
Fulwariaz Gachhi Tola, Ward No.7, P.S.- Fulwaria, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Ahmad Ali

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 03-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Fulwaria P.S.
Case No. 24/2017 for offences punishable under Sections 302,
120-B/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that her son Rikki Kumar was found dead in the house while he
was alone. He had a love affair with one Guria Kumari, daughter
of the petitioner and few days earlier he had threatened not to talk
with his daughter otherwise he would face dire consequences. She
has full faith that the petitioner along with 2-3 other accused
persons have killed her son and also put a suicide note, pistol and



photograph of the girl beside the bed near the dead body.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has falsely been implicated in the aforesaid case. He submits that there is no eye-witness to the alleged occurrence and the gun shot was in the middle of the chest which has an entry and exit wound and the pistol was also lying beside him with a suicide note and photograph of the girl. He further submits that the independent witnesses have not supported the prosecution case and have stated that just because marriage of Guria Kumari was fixed somewhere else, the informant's son committed suicide.

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 Sri Raghuvir Prasad, learned Judicial Magistrate 1st Class, Begusarai, in connection with Fulwaria P.S. Case No. 24/2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the



jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on three consecutive dates without assigning any reason will entail cancellation of his bail bonds.

Rajesh/-

(Nilu Agrawal, J)

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