

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36997 of 2017

Arising Out of PS.Case No. -235 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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Kalej Mahto Son of Nanhak Mahto @ Nanak Mahto, R/o Village- Ram
Nagar, P.S.- Chapra Muffasil, District- Saran Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party : Mr. Sakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for offence
under sections 304B, 120B, 201 and 34 of the IPC.

It is submitted on behalf of petitioner that as a counter blast
of Bheldi Police station Case No. 50 of 2016, lodged by Nanhak
Mahto, father of the petitioner, alleging murder of petitioner's
wife, the instant case has been lodged seven months thereafter
making allegation under sections 304B of the IPC against his
entire family members. Other co-accused family members have
been granted the privilege of anticipatory bail vide order dated
29.05.2017, passed in Cr.Misc.No.19713 of 2017, while the
petitioner's bail petition became infructuous as he was arrested in
the meantime. Further, it is submitted that from perusal of the
FIR it appears that though the allegation of death of his wife is of



November, 2015, the FIR has been lodged in June, 2016 without plausible reason, which is highly unnatural and improbable and much prior thereto, petitioner's father has already lodged Bheldi Police station Case No. 50 of 2016 in respect of murder of petitioner's wife. It is also submitted that prior to the instant case, the petitioner has got no antecedent. Petitioner is in jail custody since 02.05.2017.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in Mufassil Police station Case No. 235 of 2016.

(Madhuresh Prasad, J)

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