

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51435 of 2017

Arising Out of PS.Case No. -119 Year- 2013 Thana -PAROO District- MUZAFFARPUR

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1. Naresh Mahto, son of Jaleshwar Mahto,
2. Surji Devi wife of Jaleshwar Mahto,
Both resident of Village- Anandpur Kharauni, Bara Daud , P.S.- Paroo,
District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajeev Ranjan No.II, Advocate

For the Opposite Party : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 20.08.2017 in connection with Paroo P.S. Case No. 119 of 2013 the offences alleged under Sections 304(B), 201/34 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated and the deceased died due to illness. It is submitted that there is considerable delay in instituting the first information report on 23.08.2013 for the alleged occurrence of 11.08.2013 without adequate explanation.

4. Having regard to the nature of accusations and gravity of the offence, as alleged and that the petitioner no. 1 Naresh Mahto is the husband of the deceased, this Court is not inclined to grant privilege of bail to him. The bail petition stands dismissed.

5. Be that as it may, considering that the petitioner no. 2 Surji Devi is a lady of 64 years of age and mother-in-law of the deceased, who claims clean antecedents, let her be released on bail



on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of Ms. Priti Kumar, learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Paroo P.S. Case No. 119 of 2013, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner will be well represented on each and every date present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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