

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16795 of 2018

Arising Out of PS. Case No.-15 Year-2017 Thana- HALSI District- Lakhisarai

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Singheshwar Mahto son of Sri Ram Swaroop Mahto resident of Village -
Khuriyari, P.S. - Halsi, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mrs. Reena Sinha, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-03-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

This is the second round of litigation. Earlier the prayer for bail of the petitioner was rejected vide order dated 09.10.2017 passed in Cr. Misc. No. 37175 of 2017. Petitioner is languishing in judicial custody since 27.02.2017 in connection with Sessions Trial No. 182 of 2017, arising out of Halsi P.S. Case No. 15 of 2017 registered for the offence punishable under Sections 302 and 120(B)/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his daughter Sheela Devi along with three children was burnt for non-fulfilment of demand of dowry and one of the children died during course of treatment along with his daughter.



It has been submitted by the learned counsel for the petitioner that he is the father-in-law. He submits that charges have been framed and he undertakes to cooperate in the trial on day to day basis. It is further submitted that general and omnibus allegations have been levelled against all the family members and the petitioner has separate mess with that of the deceased-daughter of the informant and her husband. He submits that he is languishing in judicial custody for more than a year.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the period of custody and the undertaking of the petitioner, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Lakhisarai in connection with Sessions Trial No. 182 of 2017, arising out of Halsi P.S. Case No. 15 of 2017, subject to the conditions that:

- (1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an



affidavit stating their relationship with the petitioner.

(2) The petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

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