

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59041 of 2018

Arising Out of PS. Case No.-516 Year-2017 Thana- JOGAPATTI District- West Champaran

MOTILAL MAHATO S/o Mahant Mahto, R/o Vill.- Koirgaw , P.S.- Yoga Patti, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Jeet

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-10-2018 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the informant.

The petitioner, who is in custody, seeks bail in connection with Yogapatti P.S. Case No. 516 of 2017 registered for the offence punishable under Sections 328, 302/34 of the Indian Penal Code.

Informant Sona Devi is the wife of deceased has alleged in her fardbeyan that when she was in her parental house (Naihar), she received information on mobile from her husband that his father Motilal Mahto (Petitioner) and other co-accused persons are assaulting him and have locked him in a room and they were talking that they will kill him by giving poison, on said information she came to her matrimonial house then she saw that co-accused Umesh Mahto is going to hospital for the



treatment of her husband on tempo and she also sat on said tempo, and she saw her husband was bleeding from mouth and nose. During treatment doctor told that her husband died of poisoning.

It has been submitted on behalf of petitioner that petitioner is innocent and has been falsely implicated in this case. It has been further submitted that deceased committed suicide on the pressure of his wife as he was always having quarrel with his wife. Petitioner is father of deceased and it is not believable that a father will kill his son. Petitioner has no criminal antecedent and he is in custody since 19.04.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Bettiah, West Champaran, in connection with Yogapatti P.S. Case No. 516 of 2017.

(S. Kumar, J)

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