

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46446 of 2018

Arising Out of PS.Case No. -155 Year- 2018 Thana -GOPALGANJ TOWN District- GOPALGANJ

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Satish Mahto @ Satish Prasad, Son of Late Ram Sagar Mahto, R/o Villge-
Parsawni Khas, P.S.- Uchakagaon, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Harendra Prasad, Advocate.

For the Opposite Party : Mr. Amrendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 302 and 120(B) of the IPC.

The prosecution story, in brief, is that the husband of
the informant was used to drive the Truck of the petitioner and his
brother and wages of her husband was due. On 31.03.2013, the
petitioner and his brother taken away her husband to give entire
due amount but on 03.04.2018 she came to know through Manoj
Sah that her husband was killed in the Cabin of the Truck. She
went there and saw that the petitioner and other accused persons
had loaded the dead body of her husband on a Tempo with a view
to disappear the same. From the nose and mouth of the deceased



some liquid was oozing. She also alleged that on 03.04.2018 her husband talked with her on telephone and said that the petitioner and his brother committed fraud with him.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The name of the petitioner has inspired in the present case merely on the basis of suspicion. There is no eye witness to the alleged occurrence. There is no direct or indirect evidence against the petitioner regarding participation in the alleged occurrence. The petitioner has been made accused in the present case due to previous enmity.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj, in connection with Gopalganj Town P.S. Case No. 155 of 2018, subject to the conditions as laid down under Section 438(2) of the



Code of Criminal Procedure.

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(Sudhir Singh, J)

