

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59985 of 2018

Arising Out of PS. Case No.-66 Year-2018 Thana- BIBHUTIPUR District- Samastipur

Sahdev Mahto S/o Bachhu Mahto, R/o Vill.- Rotganna, P.S.-
Bibhutipur/Vibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Mirityunjay Kumar, Advocate.
Mr. Praveen Kumar, Advocate.
For the State : Md. Sufiyan, APP.
For the Informant : Mr. Dilip Kumar Roy, Advocate.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 20-12-2018 Heard the learned counsel for the petitioner,
informant and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Bibhutipur/Vibhutipur P.S. Case No. 66 of 2018 dated 17.03.2018 instituted for the offences under Sections 302 and 201 of the Indian Penal Code.

The grand-father of the deceased has alleged in the FIR that the deceased was killed and thereafter thrown in the river.

It may be noted here that the seven year old boy who had gone out of his house to attend to a village feast never returned. The reason for prosecuting the petitioner in this case is that a trap police dog entered



the field of the petitioner.

Beyond this, there is no other material which could be collected during the course of investigation up till now. The further statement of the informant is also only on the basis of suspicion and nothing more. There is no motive attributed to the petitioner also for having killed the grand-son of the informant.

Considering the aforestated facts as also taking into account that the petitioner earlier to this case was only made an accused in a case of Excise Act, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Rosera, Samastipur in connection with Bibhutipur/Vibhutipur P.S. Case No. 66 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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