

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68770 of 2018

Arising Out of PS. Case No.-131 Year-2018 Thana- MAHISHI District- Saharsa

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Kashi Mukhiya, Son of Harilal Mukhiya, Resident of Village Navtolia
(Lavtoliya) Jhitki P.S.- Mahishi, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Sri Prem Kumar Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 19-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Mahishi P.S. Case No. 131 of 2018 registered
for the offences punishable under Sections 302, 201, 120(B) of
the Indian Penal Code.

Informant, who is father of deceased, has alleged
in his written complaint that petitioner (husband) along with all
F.I.R. named accused persons after hatching conspiracy killed
her daughter and disappeared the dead body.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case on the basis of suspicion. It has
been submitted that the wife of the petitioner died due to serious



illness for which her treatment was going on and there is no eye witness of the occurrence. Petitioner is in custody since 01.06.2018.

Considering the aforesaid fact 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 Chief Judicial Magistrate, Saharsa, in connection with Mahishi P.S. Case No. 131 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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