

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43158 of 2018

Arising Out of PS.Case No. -273 Year- 2017 Thana -BABUBARHI District- MADHUBANI

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Nageshwar Mahto, S/o Late Dashai Mahto, Resident of Village- Barail,
P.S.- Babubarhi, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 24-09-2018 Heard learned counsel for petitioner and learned A.P.P.

for the State.

The petitioner seeks bail in Babubarhi P.S. Case No.
273/2017 corresponding to G.R. No. C.R.I. Case No. 2238/2017
(S.T. No. 128/2018), registered for the offences punishable under
Section 302 and 34 of the Indian Penal Code.

Informant in his written complaint has alleged
committing of murder of her husband while he had gone to see-off
his relative.

Petitioner is named in the F.I.R. on the basis of suspicion
only. Save and except suspicion, there is no incriminating material
against petitioner. From the inquest report also, it appears to be a
case of train accident.

Petitioner has no criminal antecedent. He is in custody
since 19.01.2018.



Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge IInd, Madhubani in connection with Babubarhi P.S. Case No. 273/2017 corresponding to G.R. No. C.R.I. Case No. 2238/2017 (S.T. No. 128/2018), subject to the 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bonds.
- (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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