

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31662 of 2018

Arising Out of PS. Case No.-262 Year-2014 Thana- PANCHRUKHI District- Siwan

Sanjay Mahto Son of Ramnarayan Mahto Resident of Village- Parauli, Police Station- Pachrukhi, Distt, Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Irshad Ahmad Khan

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

6 27-08-2018

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Pachrukhi P.S. Case No. 262 of 2014 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

Informant is the brother of petitioner, who has alleged that his father and his brother (petitioner) has killed his wife by strangulation. His father was arrested and he was acquitted by trial court. However, petitioner did not surrender and could not be arrested, as such his trial was separated.

It has been submitted that as per post-mortem, death was not strangulation but it appears to be that she died



of poisoning. Petitioner is in custody since 30.10.2017

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 Chief Judicial Magistrate, Siwan, in connection with Pachrukhi P.S. Case No. 262 of 2014 subject to the conditions that:-

- (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 sufficient reason the trial court will be at liberty to cancel his bail bond.
- (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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