

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.5021 of 2019

Arising Out of PS. Case No.-190 Year-2008 Thana- BASOPATTI District- Madhubani

Jaleshwar Mahto @ Jaleshwar, Son of Ram Udgar Mahto, Resident of Village-Radhakant, P.S.-Basopatti, District-Madhubani

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Ganesh Prasad Singh

For the Informant : Mr. Vijay Kumar

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

3 15-03-2019 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201, 120-B and 34 of the Indian Penal Code.

Initially, the informant lodged Basopatti P.S. Case No. 190 of 2008 against the petitioner and others raising doubt in respect of murder of his father. The informant doubted the involvement of petitioner and other accused on account of previous enmity and litigation. However, after due investigation, police found the accusation untrue and submitted final form against which informant filed protest petition, which was treated as complaint petition and, subsequently, the learned Magistrate having found *prima facie* case of the offence punishable under Section 302 and other minor sections of the Indian Penal Code



against the petitioner, summoned them to face trial.

Admittedly, none had seen the actual killing of the deceased and except previous enmity and litigation between the deceased and the petitioner, there appears to be nothing against him and, accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Madhubani in connection with Basopatti P.S. Case No. 190 of 2008.

(Hemant Kumar Srivastava, J)

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