

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9475 of 2019

Arising Out of PS. Case No.-103 Year-2018 Thana- JAMOBABAZAR District- Siwan

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GULAB CHAND MAHTO Son of Sri Ram Mahato Resident of Village -
Goria Kothi, Dhanuk Toli, P.S.- Goria Kothi, District – Siwan.

... .. Petitioner/s

Versus

THE STATE OF Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Jamo Bazar P.S. Case No. 103 of 2018
registered for the offence punishable under Sections 302/34 of
the Indian Penal Code.

Informant has alleged that in the marriage ceremony
of co-villager an Orchestra party had come. At about 2.00 AM
in the night an Artist of Orchestra party wanted to take away the
dancer of the Orchestra which was objected by his brother and
which led to altercation between them. Allegation against co-
accused Sunny Deol is that he took out a knife from his pocket
and stabbed on the chest of his brother, as a result of which he



died on the spot.

It has been submitted on behalf of the petitioner that there is no allegation made against petitioner of any overt act in killing of his brother. Petitioner has no criminal antecedent and he is in custody since 16.11.2018.

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 Jamo Bazar P.S. Case No. 103 of 2018 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 properly represented 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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