

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24859 of 2019

Arising Out of PS. Case No.-214 Year-2018 Thana- SAHIYARA District- Sitamarhi

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MISHRI LAL MAHTO Son of HIRDEO NARAYAN MAHTO Resident of
Village - Oralahiya, P.S.- Sahiyara, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 22.01.2019 in connection with Sahiyara P.S. Case No. 214/2018 registered for the offence punishable under Sections 147/148/149/341/ 323/ 324/302/201 of the Indian Penal Code.

Learned counsel for the petitioner submits that the wife of the present petitioner was having an affair with Shrawan Kumar (deceased) and had eloped and were living separately. It is submitted that when they returned to the village, the entire villagers were annoyed and had started assaulting Shrawan Kumar who had ran away with the wife of the petitioner and on account of the said assault, the said Shrawan Kumar succumbed to his injuries. It is further submitted that the wife of Shrawan



Kumar, namely, Kaushaliya Devi, has also filed an F.I.R. being Sahiyara P.S. Case No. 122/2018 against her husband Shrawan Kumar and Dukhiya Devi, for their illicit relationship. He thus submits that there is no specific role attributed to the present petitioner and he is a respectable farmer having no criminal antecedent. It is thus submitted that the petitioner may be extended the privilege of bail subject to the condition that he shall be available as and when required.

Having heard learned counsel for the petitioner and learned counsel for the State and in view of the undertaking given by the petitioner that he shall co-operate in the investigation and also be available as and when required during the course of the trial, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned I/c Chief Judicial Magistrate, Sitamarhi, in connection with Sahiyara P.S. Case No. 214/2018.

(Anjana Mishra, J)

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