

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38536 of 2019

Arising Out of PS. Case No.-150 Year-2017 Thana- PIYAR District- Muzaffarpur

=====

MUKESH MAHTO Son of Bindu Mahto @ Bindeshwar Mahto Resident of
Village - Bangra, P.S.- Piar, District - Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Amit Kumar Rakesh

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-06-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Piar P. S. Case No. 150
of 2017, Sessions Trial no. 181 of 2018 instituted for the
offence under Section(s) 363, 365 and 120B/34 and 302 of the
Indian Penal Code.

Learned counsel for petitioner submits that petitioner
is not named in the written report.

It is alleged in the written report that minor son of
informant had gone for coaching and did not return till 8 pm.

Learned counsel for petitioner submits that name of this
petitioner has come in the confessional statement of co
-accused Raja Kumar who has alleged that petitioner has
pressed the neck of son of informant. . Besides the confessional



statement of co-accused, there is no other eye witness in the case. The dead body has been recovered from bank of river.

The other co-accused, namely, Md. Haider @ Bapaiya @ Md. Mukhtar of this case has already been granted bail by this Court by order dated 12.3.2019 passed in Cr Misc. no. 547 of 2019.

Petitioner is in custody since 30.11.2017.

Considering the aforesaid, let the petitioner, above named, 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 the Addl. District and Sessions Judge XIV Muzaffarpur, in connection with Piar P. S. Case No. 150 of 2017, Sessions Trial no. 181 of 2018 subject to the following conditions:-

(i) Both the bailors shall be the close relative of the petitioner.

(ii) The petitioner shall be present on each and every date fixed by the Court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner.

(iii) If petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail



bond of the petitioner.

(Sanjay Priya, J)

shyambihari/-

U		T	
---	--	---	--

