

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49320 of 2019

Arising Out of PS. Case No.-252 Year-2019 Thana- BAGHA District- West Champaran

JITENDRA MAHTO @ JITENDRA KUMAR Son of Shiv Kumar Mahto
Resident of Village-Nawka Tola, Badgano, P.S-Bagaha, District-West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bagaha P.S. Case No. 252 of 2019, disclosing the offence under Sections 302/34 of the Indian Penal Code.

This is unfortunate case where the informant is the mother of the deceased infant, whereas petitioner is the father. Allegedly, the petitioner has killed his son.

Learned counsel appearing on behalf of the petitioner has submitted that there is no reason disclosed by the informant as to why he would commit such offence nor the manner of commission of the offence has been alleged in the FIR. He contends that it is because of failure on the part of the informant herself to look after the infant well, he died and First



Information Report has been lodged unnecessarily implicating the petitioner.

Considering the facts and circumstances and submissions made on behalf of the petitioner, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, 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 ACJM-Ist, Bagaha, West Champaran in Bagaha P.S. Case No. 252 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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