

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11079 of 2020

Arising Out of PS. Case No.-356 Year-2019 Thana- GRIYAK District- Nalanda

=====

Jitendra Prasad @ Jitendra Kumar, aged about 35 years, male, S/o Vimal Mahto @ Bhimal Mahto, R/o village- Barith, P.S.- Giriyak (Katari Sarai), District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 28-02-2020 The petitioner, who is the brother-in-law of the deceased, seeks bail in connection with Giriyak P.S. Case No. 356 of 2019, dated 13.10.2019, instituted for the offences under Sections 147, 148, 149 and 302 of the Indian Penal Code.

The petitioner is in custody since 23.10.2019.

The informant of this case is the mother of the deceased who has alleged that the deceased visited his in-



laws house and later she learnt that his father-in-law has killed him. On the basis of the F.I.R., the father-in-law of the deceased and the petitioner and others, who are the brother-in-laws of the deceased, have been made accused.

Mr. Vikram Deo Singh, learned Advocate for the petitioner submits that the petitioner, for all practical purposes, has settled his his own Sasural and has practically no interest in the paternal property. His sister, who is the wife of the deceased, has been residing in her parental house and there could apparently be no reason for the petitioner to have participated or taken part in the killing of the deceased. It has further been submitted that since the mother did not have any other clue and so only relying upon some rumour afloat in the village that her son has been killed by her father-in-law, has lodged this case. There is no eye-witness to the occurrence and there does not appear to be any *prima facie* motive for killing of the deceased. Considering this aspect of the matter, the mother of the petitioner, who is the mother-in-law of the deceased, has been granted bail by this Court



vide order dated 22.01.2020 passed in Cr. Misc. No. 2424 of 2020.

Taking into account the aforestated facts and the period of custody of the petitioner, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-Ist, Nalanda in connection with Giriyak P.S. Case No. 356 of 2019.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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

