

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76526 of 2019**

Arising Out of PS. Case No.-63 Year-2019 Thana- SAHIYARA District- Sitamarhi

NANDAN MAHTO Son of Bhola Mahto R/O Village - Matiyar Khurd, P.S. -  
Sahiyara, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Prem Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

3      20-01-2020                      Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

Informant has alleged in his written complaint that on 02.07.2019, his wife along with his son had gone to the matrimonial house of his daughter and on 03.07.2019, his son Ramesh Kumar / deceased was called by his friend Bikash Paswan (accused) and, thereafter his son Ramesh Kumr at about 2 to 3 p.m., came back to the village and was going on a motorcycle along with Suraj Mahto when he was stopped by Ram Sevak Mahto, Shambhu Mahto and Nandan Mahto, however, he was rescued by Suraj Mahto and, thereafter, he returned home and in the evening at 8:00 p.m. Bikash Paswan,



Jitendra Das and Vinay Ram came on motorcycle and took away his son and thereafter on next day, i.e., on 04.07.2019, his son was found dead hanging from a tree.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case on the basis of suspicion only. It is not the case of even last seen as allegation is against other accused Bikash Paswan, Jitendra Das and Vinay Ram of taking the petitioner on their motorcycle. Petitioner has no criminal antecedent and he is in custody since 08.07.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sahiyara P.S. Case No. 63 of 2019 with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond



shall be cancelled by the court below.

(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)**

Sanjay/-

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