

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83178 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- NIMACHANDPURA District- Begusarai

BALESHWAR MAHTO @ BALE MAHTO Son of Panchu Mahto Resident
of Village - Ajhaur, P.S.- Neema Chandpura, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody seeks bail in a case
registered under Sections 328, 302 & 34 of the Indian Penal
Code.

Informant has alleged in her written complaint that
petitioner and co-accused Rajiv Chaudhary informed to her that
her husband is lying in unconscious condition behind the toddy
shop. She alongwith other family members went there and
thereafter he was carried to Hospital, however, he died on the
way. Allegation is that excess toddy having poisonous substance
was administered to the deceased, as a result of which he died.

It has been submitted on behalf of petitioner that there
is no eye witness of the occurrence that the deceased had taken



toddy at the shop of petitioner. Similarly placed co-accused, namely, Rajiv Chaudhary has been granted bail by a co-ordinate Bench of this Court vide order dated 30.09.2019 passed in Cr. Misc. No. 60280 of 2019. Petitioner has no criminal antecedent and is in custody since 02.09.2019.

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/- (Rs. twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Neema Chandpura P.S. Case No. 32 of 2019 subject to the conditions that:-

(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 represented on each and every date fixed by the court.

(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.

(4) If the petitioner is found involved



in similar nature of offences, after his release
on bail the trial court shall take steps to cancel
his bail bond.

(S. Kumar, J)

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