

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87392 of 2019

Arising Out of PS. Case No.-63 Year-2017 Thana- BARABAR TOURIST District- Jehanabad

GAYA MISTRI, Son of Late Sri Shyam Mistri, Resident of Village -
Dharaut, P.S.- Barabar, Paryatan (Bishunganj O.p.), Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-01-2020 Heard learned counsel for the parties.

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

Informant who is a widow of the deceased has alleged in her written complaint that on 17.10.2017 at about 9 a.m., FIR named accused took away her husband Ramjatan Mistri from their house and there is allegation against Gaya Mistri and Yodha Mistri of assaulting the husband of informant as a result of which, he died and thereafter accused fled away.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case. Similarly placed co-accused Ashok Mistry, Yodha Mistry and Anil Mistry have already been granted bail by different co-ordinate Benches of this Court as contained in Annexure 3 and 4. Petitioner has no criminal antecedent and he is in custody since 19.09.2019.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Barabar Paryatan (Bishunganj O.P.) P.S. Case No. 63 of 2017, 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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