

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30304 of 2021

Arising Out of PS. Case No.-615 Year-2020 Thana- BRAHMPUR District- Buxar

RAJKUMAR MAHTO @ RAJESH MAHTO S/o- RAM BARAN MAHTO
@ RAMBARAN MAHTO Resident of Village- Kamariyawn, P.S.- Tiyar,
District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302, 34, 120(b), 201 of the Indian Penal Code.

As per the prosecution case, on 18.01.2020 informant's brother, Indrajeet Bhagat, went to the house of co-accused, Rubi Kumari, but thereafter he did not return. The informant suspects involvement of Rubi Kumari in the alleged occurrence.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come in this case in the confessional statement of Rubi Kumari, who stated that petitioner helped in disposal of dead body. It is submitted that so far petitioner is concerned, only a case u/s 201 of the IPC is made out as he only helped in disposal of dead body



of deceased. Petitioner claims clean incident and is in custody since 27.12.2020. Investigation is complete and charge sheet has also been submitted.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Brahmpur PS case No. 615/2020 on the following conditions:-

(1) 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 on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

BKS/-

(Prabhat Kumar Singh, J)

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