

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23972 of 2022

Arising Out of PS. Case No.-137 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

Hajari Mahato Son of Madina Mahato Resident of Village - Bangara, P.S.-
Baikunthpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 03-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Baikunthpur P.S. Case No. 137 of 2021 lodged under section
302 of the Indian Penal Code.

As per the prosecution case, the informant married his
daughter with the son of the accused. Since there was tension
between the husband and wife after the marriage, the wife
always returned to her parents. The accused along with other
persons often went to the house of the deceased to keep her
daughter properly or to face dire consequences. Even two-three
days before the incident, the accused and other went to the
deceased and threatened to kill him. It is further alleged that two
along with others, killed the deceased, therefore, present F.I.R.
has been filed.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner is the *samadhi* of the informant and having clean antecedent, he is in custody since 08.07.2021. Learned counsel further submits that there is no material found by the investigating officer and the entire case is presented on suspicion only.

Learned counsel for the State opposes the prayer for bail and submits that it is a case of Section 302.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Gopalganj in connection with Baikunthpur P.S. Case No. 137 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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