

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23524 of 2022

Arising Out of PS. Case No.-507 Year-2016 Thana- KHAGARIA District- Khagaria

Sahdev Mahto Son of Late Kallar Mahto Resident of village - Bela Simri,
P.S.- Khagaria (Gangaur), District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 06-09-2022 Let the defect, 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
Khagaria (Gangaur) P.S. Case No. 507 of 2016 lodged under
Sections 302 & 201 of the I.P.C.

As per the prosecution case, the informant has
received an information at the night of 18.06.2016 that his sister
was missing and not reached to her house. On the next morning
the petitioner visited to her sister's house where he got
information that the dead body of her sister was thrown in
bamboo orchard. The informant has not made allegation against
any one but only raised suspicion that somebody has murdered

his sister.

Learned counsel for the petitioner submits that the present F.I.R. has been filed against unknown. He submits that his name has figured in this case by virtue of suspicion. He further submits that during course of investigation, no cogent material has come but a story figured in the investigation that there is an illicit relation between the deceased and the son of the petitioner and this may be one of the cause of murder as indicated in the investigation. Learned counsel for the petitioner submits that petitioner is in custody since 05.03.2021, charge-sheet has already been filed in this case having clean antecedent. He further submits that 2 co-accused has been granted anticipatory bail whereas one accused Ritesh Kumar has been granted regular bail by the Co-ordinate Bench vide order dated 08.02.2022 passed in Cr. Misc. No. 31240 of 2021 (Annexure-2).

Learned counsel for the State opposes the prayer for bail and submits that there is nothing specific against the petitioner in the entire case diary.

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- IVth, Khagaria in connection with Khagaria (Gangaur) P.S. Case No. 507 of 2016, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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