

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39081 of 2021**

Arising Out of PS. Case No.-108 Year-2019 Thana- PANCHRUKHI District- Siwan

=====

GANESH MAHTO @ SEVA @ SEVA KUMAR Son of Gangadeo Mahto
Resident of Village- Chap, P.S.- Pachrukhi, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Arvind Kumar Pandey(App84)

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 10-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Pachrukhi P.S. Case No. 108/ 2019 registered for the offences punishable under Sections 302/201 of the IPC.

The present case relates to murder of unknown girl whose dead body was recovered from the roadside.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and he has clean antecedent. He further submits that petitioner has falsely been implicated in the present case only on the basis of suspicion. He further



submits that there is no eye witness of the alleged occurrence.
Petitioner is in custody since 25.03.2021.

The learned Additional Public Prosecutor on the basis of the material on record and the case diary fairly submits that no specific material has come against the petitioner during course of investigation.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Siwan in connection with Pachrukhi P.S. Case No. 108/ 2019, subject to 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 absence on two consecutive dates without sufficient reason, his 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.



3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

shahzad/-

U		T	
---	--	---	--

