

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46578 of 2023

Arising Out of PS. Case No.-138 Year-2022 Thana- AWTARNAGAR District- Saran

MAHESH RAI Son of Late Ramnath Ray Resident of Village-Ramgadha,
P.S.-Awtar Nagar, District-Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 304 of the Indian Penal
Code.

3. As per prosecution case, the wife of the informant,
namely, Sugga Devi had gone to cut the grass in the field of
Mahesh Rai (petitioner) and that field was surrounded by
nacked electric wire. His wife came in contact of the said wire
and died.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Both the parties are co-villagers. The
allegation levelled against the petitioner is not specific rather



general and omnibus allegation in nature. He submitted that the dead body has been recovered from the field of one Baleshwar Singh, which is adjacent to the field of petitioner. Only with a view to extort money, the informant has filed this case false against the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Petitioner has *suo motu* surrender before the learned Court below and is languishing in judicial custody since 24.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Awtarnagar P.S. Case No. 138 of 2022.

(Sunil Kumar Panwar, J)

arish/-

U			
---	--	--	--

