

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56860 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- MAJHAULIA District- West Champaran

Dhurendra Mahato, S/o Late Shankar Mahato, R/o Village- Karmawa, P.S.-
Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Majhauriya P.S. Case No.39 of 2022 registered for the offence
punishable under Sections 302, 304B, 120B/34 of the Indian
Penal Code.

Informant alleges that his daughter was called by the
petitioner and thereafter the next morning, her dead body has
been recovered. It is alleged that the petitioner along with his
unknown friends has committed the murder.

Learned counsel for the petitioners submits that from
the FIR, it is obvious that the victim was residing at her '*Maika*'.
The petitioner has been implicated under misconception. In fact,
he had never called the victim. She had left her '*Maika*' on her



own, whereafter she has been found murdered. This fact stands corroborated by the joint compromise petition filed by the informant in the court below, certified copy of which is enclosed as Annexure 2, wherein the informant has specifically stated that the implication is under misconception. Petitioner having no antecedents is in custody since 23.02.2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, the manner of implication and petitioner's clean antecedents, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 C.J.M., Bettiah, West Champaran, in connection with Majhauriya P.S. Case No.39 of 2022, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner.



The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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