

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76088 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- BARURAJ District- Muzaffarpur

Deeplal Mahto Son Of Bijli Mahto R/O Village- Dhumnagar, Post- Singaila,
Jahangirpur, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 05-04-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Baruraj
P.S. Case No. 113 of 2023 instituted for the offence under
Sections 323, 341, 504 & 304B of the Indian Penal Code.

3. Prosecution case in short is that petitioner has
strangled her wife due to which she died.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 22-05-2023. Petitioner has
no criminal antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present
case. It is submitted that petitioner has never demanded



motorcycle and chain rather to see the dead body of his wife, he gave information to the police but police did not record his statement and recorded the statement of informant. It is submitted that there is no eye witness to the occurrence. It also submitted that there are three children borne out of the wedlock and petitioner has to take care of his children. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Baruraj P.S. Case No. 113 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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