

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9191 of 2025

Arising Out of PS. Case No.-839 Year-2023 Thana- SARAIYA District- Muzaffarpur

Raj Kumar Mahto, S/O- Late Balli Mahto, resident of Village - Basantpur
Patti, P.S. - Saraiya, District – Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ganesh Prasad Singh, Advocate

For the Opposite Party : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. This application for grant of regular bail arises out of Saraiya P.S. Case No.839 of 2023 registered for the offence punishable under Sections 304-B and 201/34 of the Indian Penal Code.

3. The petitioner is the husband of the deceased. He is said to have killed his wife.

4. The petitioner is in custody since 09.09.2024.

5. It has been submitted by learned counsel for the petitioner that the petitioner is innocent and the deceased has committed suicide. It has also been submitted that there are two children born out of the wedlock of the deceased and the petitioner and they are staying with the family of the petitioner.

6. Learned APP for the State has opposed the bail application.



7. I have considered the submissions of the parties.

8. Considering the submissions made by learned counsel for the petitioner, this bail application is allowed.

9. 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 A.C.J.M., Muzaffarpur (West) / concerned Court below, in connection with Saraiya P.S. Case No.839 of 2023.

10. At the time of accepting the bail bonds of the petitioner, the Court below shall verify the submission of the petitioner that the children of the petitioner and the deceased are staying with the family of the petitioner or not. If it is found that the children are staying with the family of the petitioner, the Court below shall accept the bail bonds of the petitioner. If it is found that they are not staying with the family of the petitioner, the bail bonds of the petitioner shall not be accepted by the petitioner.

(Sandeep Kumar, J)

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