

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27890 of 2015

Arising Out of PS.Case No. -31 Year- 2015 Thana -WARSALIGANJ District- NAWADA

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1. Mukesh Kumar Mahto @ Mukesh Kumar Son of Amirak Mahto
Resident of village - Loharpura P.S. Kadir Ganj, P.O. Nawadah, District -
Nawadah

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha

For the Opposite Party/s : Mr. Uma Nath Mishra(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 15-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

Petitioner seeks bail in connection with Warisaliganj
P.S. Case No. 31 of 2015 registered for the offences punishable
under Sections 302, 392/34 of the Indian Penal Code.

Allegedly Om Prakash Sah @ Lallu Ji, the brother of
the informant was returning to his house after closing the
jewellery shop with a bag containing 44 grams of gold and 250
grams of silver, three unknown boys intercepted him with red
colour Apachi motorcycle and after pointing pistol, started
snatching the bag and also opened fire with pistol which hit left
side of the chest and nose and thereafter, the miscreants fled away

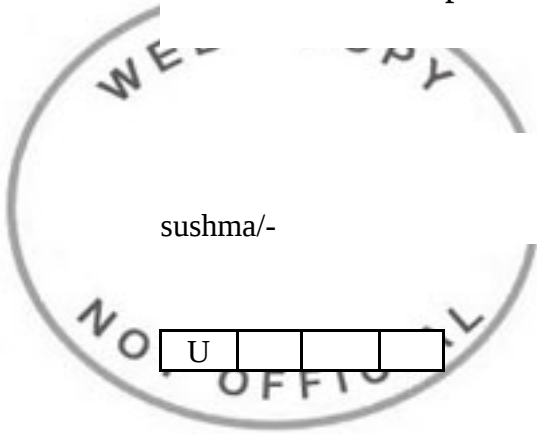
with bag containing gold and silver and the brother of the informant died. During course of investigation, the name of the petitioner transpires in his confessional statement. He was arrested with fire arms on 11.02.2015.

Submission if of false implication and that the petitioner is not named in the F.I.R. Except the confessional statement of the petitioner made before the police, there is nothing against the petitioner and he is suffering in custody since 11.02.2015 and without any proper investigation, chargesheet has been submitted under Section 396 of the Indian Penal Code.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of 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, Nawada arising out of Warisaliganj P.S. Case No. 31 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on

his part without any reason shall disentitle the petitioner from
privilege of bail.



(Jitendra Mohan Sharma, J)

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