

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22337 of 2015

Arising Out of PS.Case No. -171 Year- 2013 Thana -SAHKUND District- BHAGALPUR

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1. Kampani Mahto @ Binay Kumar S/o amchalish Mahto Resident of
Village Belthu, P.S. Sahkund, District Bhagalpur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Md. Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-07-2015

Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since
17.06.2014 in a case registered for the offences punishable under
sections 302, 201/34 of the Indian Penal Code.

It is alleged that the FIR named accused persons
including the petitioner came on motorcycle and took the brother
of the informant to market, the victim sat with co-accused Sonu
Mandal on one motorcycle whereas petitioner Kampani Mahto
and co-accused Viveka Mahto went on another motorcycle but
the victim did not return. Subsequently, the dead body of the
victim was recovered. The accusation of giving threatening
earlier is against co-accused Pappu Mahto, Niranjan Mahto and
Shyam Mahto.

It is submitted by learned counsel for the petitioner that except the circumstantial evidence there is nothing against the petitioner and co-accused Sonu Mandal, on whose motorcycle the victim went to market has been directed to be released on bail vide Criminal Miscellaneous No. 9446 of 2015 after framing of charge. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid fact, let the above named petitioner 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 learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Shahakund P.S. Case No.171 of 2013.

(Dinesh Kumar Singh, J)

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