

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28077 of 2015

Arising Out of PS.Case No. -73 Year- 2015 Thana -GHANSHYAMPUR District- DARBHANGA

1. Lalo Mahto S/o Supari Mahto Resident of Village Kachra, Police Station Sourbazar, District Saharsa.

.... .. Petitioner/s

Versus

1. The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 06.08.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

According to the prosecution case itself, the person, who took amount from the informant, disclosed his name as Lalo Mahto and the aforesaid fact discloses that the petitioner was not known to the informant prior to the alleged occurrence. Petitioner was arrested in course of investigation but admittedly, he has not been put on test identification parade

Moreover, contention on behalf of the petitioner is that petitioner was business partner of the informant of the present case and, as a matter of fact, there was some dispute between the petitioner and the informant who, later on, set up police and lodged this false case. It is also pointed out by learned counsel for the petitioner that for similar occurrence, Biraul P.S. Case no. 127/2015 was also lodged against the petitioner on the same day by the police inspector and in

the aforesaid case, petitioner was granted privilege of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note that except present case as well as above stated Biraul P.S. Case no. 127/2015, there is no other criminal antecedent of the petitioner, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri Raja Ram Santosh Kumar, Judicial Magistrate, Ist Class, Biraul at Benipur/concerned court in Ghanshyampur P.S. Case no. 73/2015.

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(Hemant Kumar Srivastava,J)

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