

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39784 of 2015

Arising Out of PS.Case No. -100 Year- 2014 Thana -KUNDWACHAINPUR District- EAST
CHAMPARAN (MOTIHARI)

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Bhikhari Mahto son of Late Batahu Mahto, resident of village- Chhotaki
Pantaki Ram, Police Station- Bairagania, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. R.S. Chaudhary (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-09-2015

Heard both sides.

The petitioner seeks bail in a case under Section 395
and other sections of the Indian Penal Code.

The petitioner is not named in the F.I.R. Name of the
petitioner figured in the case in the confessional statement of co-
accused Harendra Mahto. It is submitted that except the
confession, there is no material against the petitioner. Basanti Giri
and Arvind Giri also made their statements in Paras 68 and 69 in
which they disclosed that they heard about participation of the
petitioner in the alleged crime. They are hearsay witnesses. The
petitioner has not been put on T.I.P. though he is in jail since
04.04.2015.

Considering the facts aforesaid, the above named
petitioner is directed to be enlarged 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 Sub Divisional Judicial Magistrate, Sikrahana at Motihari, District – East Champaran in Kundwa-Chainpur P.S. Case No. 100 of 2014, corresponding to Tr. No. 5650 of 2015.

(Prabhat Kumar Jha, J)

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