

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48362 of 2016

Arising Out of PS.Case No. -3 Year- 2008 Thana -KASBA District- PURNIA

Manoj Mahto Son of Surja Mahto Resident of Village- Radha Nagar,
Police Station- Kasba District Purnia.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Vikram Singh, Advocate
For the Opposite Party : Smt. Anita Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 22-11-2016 Heard the learned counsel for the petitioner and the
learned APP for the State.

Petitioner is languishing in custody since 11.09.2016
in connection with Kasba P.S.Case No.03 of 2008, G.R.No.11 of
2008 for offence punishable under Sections 363 and 420 of the
Indian Penal Code.

Initially a complaint was filed which was later on
converted under Section 156(3) of the Cr.P.C. to the present PS
case. The allegation as alleged by the complainant is that the
husband of the complainant was called by one of the co-accused
and slept with the accused persons in the night and from the
morning he is not being traced. The police after investigation
found the occurrence to be false but differing with the final form,

the learned Magistrate has taken cognizance.

It has been submitted by learned counsel for the petitioner that other accused persons have been granted the privilege of bail in Cr.Misc.No.40929 of 2016 on 06.10.2016 and the allegation against the petitioner is only on the basis of suspicion.

However, learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

Be that as it may, since the allegation against the petitioner is only on the basis of suspicion and considering the period of custody, 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 Sri L.B.Paswan, learned Judicial Magistrate, Purnea in connection with Kasba P.S.Case No.03 of 2008/G.R.Case No.11 of 2008.

(Nilu Agrawal, J)

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