

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29231 of 2016

Arising Out of PS.Case No. -324 Year- 2015 Thana -KUDHNI District- MUZAFFARPUR

=====

Sanjay Mahto, Son of Late Devki Mahto, resident of village - Turki Chainpur, P.S. Kurhani, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Arvind Kumar, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-07-2016 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in custody since 26.03.2016 in connection with Kurhni (O.P. Turki) P.S. Case No. 324/15 for offences alleged under Sections 302/34 of the Indian Penal Code.

Allegation is that on the alleged date of occurrence, petitioner along with others having armed with deadly weapons went at the house of the deceased and started searching him but they could not succeed to trace out the deceased and after that the dead body of the deceased was found near a canal.

It has been submitted by the learned counsel for the petitioner that the petitioner has falsely been implicated in the aforesaid case only on the basis of suspicion as no one has seen

the actual killing of the deceased. It has further been submitted that one of the co-accused, who has been named in the First Information Report, has since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No.2437 of 2016 on 28.01.2016 on similar allegation. He further submits that there are general and omnibus allegations against the petitioner along with other co-accused. It has further been submitted that petitioner has no criminal antecedent, as is evident from paragraph 3 of this petition.

Learned APP for the State, however, submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the aforesaid facts and circumstances and that the similarly alleged co-accused has since been granted the privilege of bail by this Court, let petitioner, above named, 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 Manish Pandey, J.M. 1st Class, Muzaffarpur in connection with Kurhni (O.P. Turki) P.S. Case No. 324/15.

(Nilu Agrawal, J.)

Rajesh/-

U		T	
---	--	---	--