

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34867 of 2016

Arising Out of PS.Case No. -458 Year- 2015 Thana -PURNEA SADAR District- PURNIA

Shankar Mahto

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO

ORAL ORDER

2 20-08-2016

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. Petitioner, Shankar Mahto, is in custody since 26.11.2015 in S.T. No. 92 of 2016 arising out of Sadar (Muffasil) P.S. Case No. 458 of 2015 registered under Sections 302, and 120-B of the Indian Penal Code.

3. According to prosecution case, the named accused persons called the husband of the informant and they went away and in the morning, the dead body of informant's husband was found.

4. Learned counsel for the petitioner submitted that one co-accused, Wakil Mahaldar, has confessed about the guilt, wherein he has named the present petitioner and accused, Md. Zakir and Sk. Santu. The accused persons, Md. Zakir and Sk. Santu have already been granted regular bail by this Court on 20.04.2016 in Cr. Misc. No. 15806 of 2016 and this petitioner is on the same footing.

5. Perused the order passed by this Court in Cr. Misc. No. 15806 of 2016, Annexure-2. It appears that the case of the present petitioner is on same footing. The only evidence against the petitioner and accused persons is that some witnesses have seen the petitioner along with co-accused persons in the company of the deceased. Two of the accused persons have already been granted bail.

6. In view of the facts and circumstances of the case, I direct the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the Trial Court (Sessions Judge, Purnea) in connection with S.T. No. 92 of 2016 arising out of Sadar (Muffasil) P.S. Case No. 458 of 2015.

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(Mungeshwar Sahoo, J)