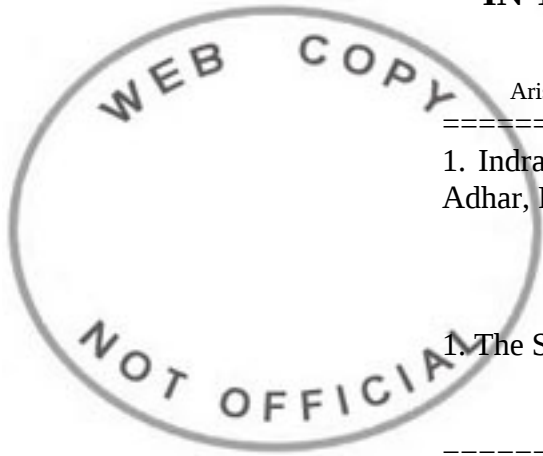




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.240 of 2016

Arising Out of PS.Case No. -18 Year- 2015 Thana -SONBERSA District- SITAMARHI

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1. Indrajeet Mahto Son of Mahesh Mahto, Resident of village- Bishanpur
Adhar, P.S.- Kanhauli, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Dilip Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 05-02-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody since 27.03.2015 in
connection with S. Tr. No. 362 of 2015 arising out of Sonbarsa
P.S. Case No. 18 of 2015.

Learned counsel for the petitioner submits that though
there is a deep and detailed narration of the entire occurrence by
the informant, admittedly the informant is not the eyewitness to
the occurrence. Learned counsel for the petitioner submits that
three persons are said to have fired at the deceased, namely,
Satyendra Pandey, who subsequently succumbed to his injuries. It



is further submitted that there is no eyewitness to the occurrence and one person, namely, Mithun Seth who has been facing similar allegations and had been in custody, has been extended the privilege of regular bail by this Court in Criminal Miscellaneous No. 46277 of 2015 vide order dated 08.10.2015. He submits that the petitioner is a similarly placed, may be extended the said benefit and that he shall be available in the Court below as and when required.

Learned counsel appearing on behalf of the State submits that there are several eyewitnesses to the said occurrence but countering the said submission, learned counsel for the petitioner submits that the names of the said witnesses surfaced after lapse of one month and not immediately after the occurrence.

Considering the entire gamut of facts and circumstances, the period of custody and also that one other similarly situated person, namely, Mithun Seth, has been granted regular bail by this Court in 46277 of 2015, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-III, Sitamarhi, in connection with S.

Tr. No. 362 of 2015 arising out of Sonbarsa P.S. Case No. 18 of 2015.

(Anjana Mishra, J)

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