

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32458 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Ashok Kumar Mahto, Son of Late Kailash Mahto, Resident of Village:
Birsahiya (Singhiya Ghat), P.S.: Vibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 13-07-2017

Heard learned counsel for the

petitioner and the State.

The petitioner seeks bail in a case registered under
Sections 302 and 120(B)/34 of the Indian Penal Code and 27 of
Arms Act.

As per prosecution, accused Kamal Kishore Kamal
shot fire at the head of the brother of the informant. Other co-
accused also shot fire on his chest, head and stomach, which
proved fatal.

It has been submitted on behalf of the petitioner that the
petitioner is not named in the FIR. The name of the petitioner has
come on the basis of his own confessional statement before the
police, which has no evidentiary value in the eye of law. Kamal



Kishore Kamal happens to be the own brother of the deceased and there is land dispute between the parties. The petitioner has no concern with their affairs. The petitioner is in custody since 21.01.2017.

Having considered the facts and circumstances of the case, let, 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 learned Additional District and Sessions Judge, Rosera, District-Samastipur, in connection with Sessions Trial No. 446 of 2017 arising out of Bibhutipur P.S.Case No. 02 of 2017.

(Prakash Chandra Jaiswal, J)

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