

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33450 of 2017

Arising Out of PS.Case No. -301 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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Mantosh Kumar @ Mantosh Kumar Yadav Son of Murli Yadav, R/o
Village- Azad Chowk Binoba Nagar, P.S.- Janki Nagar, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Madhepura
P.S. Case No. 301 of 2016 for offences punishable under
Sections 147, 148, 149, 341, 323 and 302 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that he and his sons were closing the betel shop at that time a
track suddenly dashed the betel shop and some verbal
altercation took place which was pacified. Thereafter his son



after eating food went at 12.45 O'clock at night to the betel sop where the petitioner and other accused were lurking and killed his son with rod.

It has been submitted by the learned counsel for the petitioner that he is innocent although he was the driver but not named in the F.I.R. and that co-accused Amit Kumar @ Chhotu Bhagat who was the owner of the truck and named in the F.I.R. has been granted the privilege of bail by the learned court below. He submits that the confessional statement of Dipak Yadav on the basis of which he was made accused has also been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 40533 of 2016 of 19.09.2016 and other co-accused have also been granted the privilege of bail. He submits that allegations levelled against the petitioner are general and omnibus and not specific.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Madhepura in connection
with Madhepura P.S. Case No. 301 of 2016.

(Nilu Agrawal, J)

Devendra/-

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