

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3795 of 2017

Arising Out of PS.Case No. -104 Year- 2015 Thana -MINAPUR District- MUZAFFARPUR

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1. Sukhari Mahto Son of late Budhan Mahto R/o- Vill- Aura, P.S. Taryani,
District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-02-2017 Heard the parties.

This application has been filed in connection with Minapur
P.S. Case No.104/2015 corresponding to G.R.No.1516/2016 for
the offence under Sections 385 & 387 of the Indian Penal Code.

It is submitted on behalf of the petitioner that nothing has
been recovered from the possession of the petitioner and he has
been made accused only on the basis of confessional statement
of the co-accused and the petitioner is in custody for about six
months. It is also submitted that though the petitioner is accused
in nine other cases also on the basis of confessional statement of
co-accused persons and he has been arrested in the present case.

Heard learned A.P.P. also, who has opposed the prayer for



bail.

Having heard both sides. In view of the fact that apart from the confessional statement of the co-accused that the petitioner was there as a member of the band and thereafter he was arrested and further there is allegation of demand of '*Rangdari*' in the guise of Area Commander of Moist as well as the fact that the petitioner is accused in other nine cases, I am not inclined to grant bail to the petitioner at this stage as such, it is rejected, however, the petitioner is at liberty to pray for bail after framing of the charges in this case before the learned court below itself, who will consider the application of the petitioner, if any filed for bail, without being prejudiced by the order of the Court, on the basis of materials available in the case diary.

(Vinod Kumar Sinha, J)

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