

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66299 of 2018

Arising Out of PS. Case No.-117 Year-2013 Thana- PATAHI District- East Champaran

Shambhu Sah @ Shambhu Mahto, Son of Late Ramdayal Mahto, resident of
Village- Betauna, P.S.- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 06-11-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Patahi P.S. Case No. 117 of 2013 registered for
the offences punishable under Section 302 of the Indian Penal
Code and under Section 27 of the Arms Act.

Allegation against petitioner is killing of brother-
in-law of the informant.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case only on suspicion. He is not
named in FIR. Nothing has been recovered from his possession.
There is no any overt act alleged against the petitioner. Name of
the petitioner has transpired in the present case on the basis of



confessional statement of co-accused Awanish Kumar Singh @ Chhatu Singh. It has been further submitted that similarly placed co-accused has been granted bail by another co-ordinate Bench of this Court in Cr. Misc. No. 55880 of 2015 vide order dated 10.02.2016. He has no criminal antecedent. He is in custody since 30.08.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 8th Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Patahi P.S. Case No. 117 of 2013.

(S. Kumar, J)

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