

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53195 of 2018

Arising Out of PS. Case No.-185 Year-2017 Thana- BHAGWANPUR District- Begusarai

Birju Mahto @ Birju Kumar Mahto @ Birju Kumar, Son of Late Ramotar Mahto, resident of Village- Bashi, P.S. Cheriya Bariyarpur, District Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 06-10-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Three motorcycle borne criminals are said to have resorted firing upon the son of the informant on the way to his house.

It is submitted by learned counsel for the petitioner that the petitioner is quite innocent. He has committed no offence. He has been falsely implicated in the case. He has no concern with the aforesaid occurrence. There is nothing in the record indicating the complicity of the petitioner in the



occurrence barring his confessional statement which has no evidentiary value in the eye of law. There is no eye witness of the occurrence. He was not put on T.I.P. He was apprehended in Bhagwanpur P.S. Case No. 187 of 2017 and was remanded in this case from the said case. The petitioner has been languishing in custody since 24.11.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Bhagwanpur P.S. Case No. 185 of 2017.

(Prakash Chandra Jaiswal, J)

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