

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5994 of 2018

Arising Out of PS.Case No. -234 Year- 2017 Thana -NAUBATPUR District- PATNA

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Jalal Mahato @ Jailal Mahto S/o Late Gariban Mahto, R/o Village-
Amanpura, P.S.- Naubatpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Umeshnand Pandit, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 20-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Naubatpur P.S. Case No.
234 of 2017 registered under Sections 302 and 120(B)/34 of the
Indian Penal Code and Section 27 of the Arms Act.

Brother of the informant is said to have been gunned
down by some unknown miscreant and the petitioner is suspected
in the occurrence as he was having close friendship with the
deceased and had some dispute with the deceased over some
money.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
He is not named in the F.I.R. He has been falsely implicated in the



case merely on suspicion as he happens to be close friend of the informant. There is no eye witness of the occurrence. Though calls on the mobile of the deceased were received from two mobile numbers on the date of occurrence, but one was found to be of Mantu Kumar while there is no CDR report regarding the ownership of the second mobile number. None has seen the petitioner with the deceased preceding to the occurrence. Chargesheet in the case has already been submitted. The petitioner has been languishing in custody since 02.09.2017.

In the facts and circumstances of the case, the above named petitioner is directed to 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 the learned Additional Chief Judicial Magistrate-II, Danapur, Patna in connection with Naubatpur P.S. Case No. 234 of 2017.

(Prakash Chandra Jaiswal, J)

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