

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12254 of 2019

Arising Out of PS. Case No.-36 Year-2017 Thana- KORMA District- Sheikhpura *

Surendra Mahto Son of Sugan Mahto Resident of Village - Dih Kusumbha,
P.S.- Korma , District- Sheikhpura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2019 At the outset, the learned counsel for the petitioner seeks to make certain corrections in para 1 of the bail petition. Let the same be done during the course of the day.

Heard the learned counsel for the petitioner and the learned counsel for the State.

The petitioner seeks regular bail in connection with Korma PS case no. 36 of 2017 registered for the offence punishable under Sections 302, 307, 354 and other sections of Indian Penal Code.

The case of the prosecution is that on 19.05.2017, when the husband of the informant was in his field along with his minor daughter, co-accused person namely Dinesh Mahto tried to commit rape on her which was resisted by the husband of the informant whereafter the accused persons named in the FIR had



abused and assaulted the husband of the informant resulting in his death.

The learned counsel for the petitioner submits that the allegation is general and omnibus in nature and the petitioner has been falsely implicated in the present case. It is further submitted that similarly situated co-accused persons have already been granted bail vide orders dated 13.12.2017, 02.05.2018 and 29.08.2018 passed in Cr. Misc. no. 54121 of 2017, Cr. Misc. no. 25515 of 2018 and Cr. Misc. no. 51121 of 2018 respectively. Lastly, it is submitted that the petitioner is having languishing in custody since 19.11.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge, Sheikhpura in connection with Korma PS case no. 36 of 2017.

(Mohit Kumar Shah, J)

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