

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50988 of 2019

Arising Out of PS. Case No.-187 Year-2017 Thana- MADHUBAN District- East Champaran

JITENDRA KUMAR @ BHIM KUMAR @ JITENDRA MAHATO @
BHIM MAHATO, aged about 23 years (M), S/o Nemilal Mahto, R/o village-
Madhuban Dih, P.S.- Madhuban, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr.Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
27.05.2019 in a case for the offence registered under Sections
302/34 of the IPC.

The prosecution story, in brief, is that on 13.07.2017,
in the morning, someone killed the father of the informant
Jagarnath Bhagat with Kilogram inside his Kabbarkhana which
is situated at Purani Bazar. He got information at 7.00 A.M.
from Rajkishore Sahani. Rajkishore Sahani came to his father's
Kabbarkhana to sell some garbage and after incident, he went to
the informant's house and met with him. It is further alleged that
the Mobile and money of his father was stolen by someone.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 4th A.C.J.M. at Motihari, East Champaran, in connection with Madhuban P.S. Case No. 187 of 2017.

(Sudhir Singh, J)

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