

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49168 of 2019

Arising Out of PS. Case No.-161 Year-2018 Thana- SONBERSA District- Saharsa

MANTOSH KUMAR @ MANTOSH DAS Son of Girdhari Das Resident of
Village - Jhanjhari, Mohammadpur, P.S.- Gwalpara, Distt - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 302, 120B and 34 of the Indian Penal Code.

The prosecution case in short is that the accused persons assaulted one boy who later died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.5.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in course of



investigation where it is alleged that the deceased was done to death by the villagers as the deceased had come to commit theft. No specific overt act is alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 Judicial Magistrate, 1st Class, Saharsa in connection with Sonbarsa Raj P.S. Case No. 161 of 2018.

(Sudhir Singh, J)

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