

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49928 of 2019

Arising Out of PS. Case No.-248 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

DEEPAK MAHTO Son of Jagdish Mahto Resident of Village - Bakhari, P.S.-
Baikunthpur, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 20-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor on behalf of the State.

The petitioner is in custody since 22.05.2019, in connection with Baikunthpur P.S. Case No. 248 of 2018 for the offenses under Sections 302, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the main allegation is against one Jagdish Mahto and not the present petitioner. It is further submitted that even in the postmortem report, the allegations as made out against the said Jagdish Mahto stands corroborated. There is no specific allegation of any overt act against the petitioner nor has it found place in the postmortem report.

The diary of the present case had been called for and has since been received.



On perusal of the postmortem report, it is found that only those injuries as indicated in the FIR have been found and are not beyond the recitals in the same. It is further submitted that the petitioner has no criminal antecedent.

Considering the aforementioned facts and circumstances and that the petitioner has no criminal antecedent, let the petitioner, above named, 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 Judicial Magistrate, 1st Class, Gopalganj, in connection with Baikunthpur P.S. Case No. 248 of 2018.

(Anjana Mishra, J)

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