

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70586 of 2019

Arising Out of PS. Case No.-30 Year-2017 Thana- MUSRIGHRARI District- Samastipur

Rahul Kumar Mahto @ Rahul Kumar @ Rahul Mahto, Son of Deepak Mahto,
resident of Village-Shakarpura, P.S.-Bakhari, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra
For the Opposite Party/s : Mr. Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 393 of the Indian Penal Code.

4-5 unknown motorcycle borne criminals tried to
commit loot on the petrol pump of the informant assaulting its
nozzle man on the point of pistol.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. As a matter
of fact, some altercation took place between the petitioner and
informant over filling of petrol on priority basis and due to
aforesaid reason informant has falsely implicated him in this
case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. There is nothing on record indicating the complicity of the petitioner in the occurrence barring the confessional statement of the petitioner and two other accused persons which has no evidentiary value in the eye of law. Petitioner has been languishing in custody since 04.09.2017.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1stClass, Samastipur in connection with Musrigharari P.S. Case No.30 of 2017.

(Prakash Chandra Jaiswal, J)

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