

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4185 of 2020

Arising Out of PS. Case No.-325 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

JITENDRA MAHTO Son of Hardeo Mahto Resident of Village - Dhanaiya,
P.S.- Sahabganj, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor, Adv

For the Opposite Party/s : Mr.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 28-05-2020 Heard learned counsel for the petitioner as well as
learned APP through video conferencing.

While informant was in a way to his house, fell prey
at the hands of robbers who on the point of fire-arm took away
motorcycle, ATM, mobile and cash.

It is evident from the case diary that investigation
conducted by the I.O. happens to be mere an eyewash because
of the fact that nothing has been shown at his end save and
except recording inculpatory extra judicial confessional
statement of Deepu Kumar who was apprehended in connection
with Sahebganj PS Case No. 341/2019 and then pelting the
petitioner along with one Mukesh remanded in this case
followed with submission of charge-sheet.

Irrespective of presence of criminal antecedents, non



collection of materials at the end of I.O. is sufficient to allow the petitioner to avail privilege of bail and accordingly, petitioner, Jitendra Mahto is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of ACJM-1st, West Muzaffarpur in connection with Sahebganj PS Case No. 325/2019.

Office to serve a copy of the instant order upon Superintendent of Police, Muzaffarpur who will procure the case diary and will see how perfunctory investigations are being carried out and non surveillance at the end of higher police officials would suggest nothing but the whole trial a mockery.

(Aditya Kumar Trivedi, J)

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