

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15941 of 2020

Arising Out of PS. Case No.-97 Year-2019 Thana- JANDAHA District- Vaishali

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VIJAY MAHTO @ VIJAY KUMAR, Son of Upendra Mahto, Resident of
Village- Patla, P.S- Khodawanpur (Chorahi O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 08-07-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

A pick-up van laden with fish was intercepted in a way by four miscreants who, after dragging the driver took up the vehicle along with cash, mobile and fish.

It is evident from para 13 of the case diary that the owner of the fish himself became active and during course thereof, got information with regard to sale of the looted fish and then the police swung into action, reached at the place of Suresh Sahani and then Basant Kumar Mahto and then Praveen Kumar and then Mantun Kumar and Deepak Kumar Yadav and then there happens to be apprehension of so many persons.

It is further evident from para 70 of the case diary that co-accused Prince Kumar after being apprehended made



inculpatory extra judicial confessional statement, wherein apart from the petitioner Vijay Kumar also named others to be actively involved during course of commission of the occurrence. From para 76 of the case diary it is apparent that the petitioner was apprehended relating to Khodabandpur P.S. Case No.128 of 2016, wherefrom he has been remanded in this case. Save and except the inculpatory extra judicial confessional statement of co-accused, nothing has been collected by the I.O.

Consequent thereupon, irrespective of presence of criminal antecedent petitioner, Vijay Mahto @ Vijay Kumar is directed to 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 Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Jandaha P.S. Case No.97 of 2019.

(Aditya Kumar Trivedi, J)

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