

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17723 of 2020

Arising Out of PS. Case No.-6 Year-2019 Thana- MAHINDWARA District- Sitamarhi

SATYA PRAKASH MAHTO Son of Late Shiv Jee Mahto Resident of Village -
Sirkhiriya, P.S.- Mahindwara, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 24-09-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Mahindwara P.S. Case No. 6 of 2019, registered for the offence punishable under sections 302, 120B, 34 and 216 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, information was received by the informant that five accused persons on two motorcycle had shot and killed one Vinod Rai.

It is submitted by learned counsel for the petitioner that the petitioner was not amongst the accused named in the FIR. His name transpired in course of investigation in the confessional statement of a co-accused made before the police.



Even as per the confessional statement, the allegation against him is of having participated in a meeting of the accused persons. He is not stated to be one of the five accused persons on the two motorcycle, who gave effect to the occurrence. He has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as also the statements made on behalf of the petitioner, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Mahindwara P.S. Case no. 6 of 2019, he will 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 learned Chief Judicial Magistrate, Sitamarhi subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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