

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27550 of 2020

Arising Out of PS. Case No.-217 Year-2018 Thana- PATORI District- Samastipur

Chandra Bhushan Kumar, Male, Son of Kapil Mahto, Resident of Village - Bindgama Dumari, P.S.- Patori (Mohanpur O.P.), Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No.1, Advocate
For the State : Mr.S.M. Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-12-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Patori (Mohanpur O.P.) P.S. Case No. 217 of 2018 registered for the offences punishable under Sections 341, 342, 323, 302, 379, 354, 504/34 of the Indian Penal Code.

The allegation is set out in the F.I.R. is that the informant along with her husband was coming on motorcycle and as soon as they reached in front of the shop of Jatashankar Mahto in the meantime, all the accused persons including this accused/petitioner forcefully dragged husband of informant and brutally assaulted, who received multiple injury, consequent upon husband of the informant was brought to the emergency of PMCH, where he was declared dead.

Learned counsel for the petitioner submits that the



petitioner is innocent person and has committed no offence. He further submits that the petitioner is not named in the F.I.R. but his name has been surfaced on the basis of the re-statement of the informant in the case diary. It has been submitted that there is no witness of the alleged occurrence. Learned counsel further submitted that there is no specific overt act against the petitioner moreover, no motive has been alleged at all. He further submits that the petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition. He further submits that the other accused person has been granted bail by order dated 11.09.2019 passed in Cr. Misc. No.35419 of 2019.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Samastipur in connection with Patori (Mohanpur O.P.) P.S. Case No. 217 of 2018.

(Anjani Kumar Sharan, J)

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