

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28232 of 2020

Arising Out of PS. Case No.-79 Year-2019 Thana- MEDNI CHAUKI District- Lakhisarai

MASUDAN MAHTO S/o Baldeo Mahto @ Vasdev Mahto Resident of
Village-Basgrha, P.S.-Mednichowki, District-Lakhisarai. Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narsingh Tanti, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-11-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video-conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Mednichowki P.S. Case No. 79 of 2019 registered under sections 395 and 397 of the Indian Penal Code to which section 412 of the Indian Penal Code was added subsequently.

As per allegation in the F.I.R, two persons on the point of a pistol tied up the informant and members of his family and looted various articles including ornaments, mobile phones and bank documents etc. While committing loot they had tied up the family members. The informant claimed that he can identify the accused persons on seeing them.

It is submitted by learned counsel for the petitioner that the F.I.R was registered against unknown and the name of the petitioner transpires in the confessional statement of one Krishna Nand Kumar made before the police. No recovery of any incriminating article has taken place from the possession of the petitioner. No T.I. parade has been conducted. The petitioner is in custody since 19.11.2019. It is finally submitted



that the case of the petitioner stands on a similar footing to that of co-accused Dhananjay Kumar who has been enlarged on bail vide order dated 6.3.2020 (Annexure-2) passed in Cr. Misc. No. 77254 of 2019.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the fact that no incriminating article has been recovered from the possession of the petitioner, the period of custody and grant of bail to other co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Mednichowki P.S Case no. 79 of 2019 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 Additional Sessions Judge 3rd, Lakhisarai.

(Partha Sarthy, J)

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