

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31716 of 2020**

Arising Out of PS. Case No.-26 Year-2020 Thana- GUTHANI District- Siwan

Mantosh Turha, Son of Late Rudal Turha, Resident of Village- Guthani
Paschimi, P.S.- Guthani, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate.

For the Opposite Party/s : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 03-12-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the stamp reporter, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner is accused in connection with Guthani P.S. Case No. 26 of 2020, registered under Sections 341 and 392/34 of the Indian Penal Code.

The accusation is that informant, Sahjad Khan, proceeded with his Mahendra Pickup Van bearing registration



no. BR-29S-9655 for Vindi Bazar carrying the bed on 25.01.2020 but in the way, at about 8.35 P.M., near Devaria village, four known miscreants, boarding on two motorcycles, stopped his Pickup Van. Out of four, one pointed pistol at his forehead and thereafter, they started to cause assault to him and his Khalashi, Sahabu Ansari and making firing moved from there with his Pickup Van, mobile and cash of Rs.7080/-.

Learned counsel for the petitioner submits that petitioner is not named in the FIR but in course of investigation, police recorded the confessional statement of Guddu and Bharat, who disclosed their involvement in the present occurrence detailing the name of the petitioner. Thereafter, petitioner was apprehended and his confessional statement was also recorded and remanded in the present case on 31.01.2020. Further submission is that the petitioner is accused in two other cases, as detailed in paragraph 3 of the petition due to that reason, petitioner has been implicated in the present case with false allegation.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail 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 Chief Judicial Magistrate, Siwan, in connection with Guthani P.S. Case No. 26 of 2020. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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