

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66836 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- MUFFASIL District- West Champaran

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MOHAN MAHTO @ MOHAN KUMAR Son of Late Krishna Mahto
Resident of Village-Purbi Kargahia, P.S.-Bettiah Mufassil, District-West
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular
bail in connection with Bettiah Mufassil P.S. Case No. 116/2019
registered under Sections 302/120B/34 of the Indian Penal
Code and 27 of the Arms Act, however Section
406/420/467/470/471 of the Indian Penal Code has been added.

Learned counsel for the petitioner submits that
although the petitioner is not named in the F.I.R. and the
informant has specifically alleged that the three named accused
persons had committed the murder of his brother in conspiracy
with some unknown women and male persons, however the
name of this petitioner has not transpired as assailant and he has
been implicated in this case only because he is said to be a



person dealing in sale and purchase of land along with the co-accused Raghav Yadav, save and except that there is no material against the petitioner.

Learned A.P.P. for the State has opposed the prayer for regular bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that this petitioner was not named with the co-accused Raghav Yadav and has been brought in this case on mere suspicion as also that he is in custody for about six months, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran, in connection with Bettiah Mufassil P.S. Case No. 116/2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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