

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79801 of 2019

Arising Out of PS. Case No.-52 Year-2016 Thana- BIBHUTIPUR District- Samastipur

BIKAU MAHTO @ BIKAU KUMAR Son of Bindeshwar Mahto Resident of
Village-Malkaul Marar, P.S.-Belsand, District-Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 28-02-2020 Heard the parties.

The petitioner seeks regular bail in connection with Sessions Trial No.541 of 2019 arising out of Bibhutipur P.S.case No.52 of 2016 dated 22.3.2016 registered for offences punishable under Sections 302, 201/34 of the Indian Penal Code.

As per the prosecution case, driver of the truck no.HR 61C/7750 had gone with the load coal align with the petitioner, who happens to be *Khalasi* of the truck, later on his phone was found switched off by the informant , he tried to search the same and found the truck on the road and the dead body of the driver was recovered from Cabin on the back seat of the truck, having multiple incise wounds. Informant has suspected hands of the



petitioner as some persons told that one person aged about 22 years was loitering around the truck.

Submission of the learned counsel for the petitioner is that except the suspicion there is nothing against this petitioner and he is in custody since 4.7.2019 but he has not been put on TIP for the purpose of identification by the witnesses, who have stated about the person aged about 22 years loitering around the truck. Since the charge sheet has been submitted there is no chance of tampering with the evidence.

Heard learned A.P.P. who has opposed the prayer for bail along with the submissions as made above.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Samastipur in connection with Sessions Trial No.541 of 2019 arising out of Bibhutipur P.S.Case No.52 of 2016 dated 22.3.2016 with further condition that he has to appear before the learned trial court as and when required and failure to comply the condition, the prosecution is at liberty to move for cancellation of his bail bonds..



With the above direction, this application is
allowed.

(Vinod Kumar Sinha, J)

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