

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25520 of 2021

Arising Out of PS. Case No.-210 Year-2020 Thana- DALSINGHSARAI District- Samastipur

Bhikhar Pashi @ Bhikhar Mahto @ Bhaiya Mahto @ Bhekha Mahto, Son of
Late Tetar Mahto Resident of village - Malpur, P.S.- Dalsingsarai, Distt.-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No.1, Adv.
For the State : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 29-11-2021 Heard learned counsel for the petitioner as well as
learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner seeks bail in connection with Dalsingsarai
P.S. Case No.210 of 2020 registered for offence punishable
under Sections 302, 201/34 of the IPC.

Prosecution case in brief, is that petitioner along with
one Baiju Das committed murder of younger brother of the
informant, namely, Naresh Sah and after committing murder
they threw his dead body in the pond.

Learned counsel appearing on behalf of the petitioner
submits that merely on suspicion petitioner has been implicated
in this case. There is no eye-witness who has supported the case



of the petitioner. In the FIR itself it is mentioned that some one assaulted from the back and since the petitioner was behind his back he has named the petitioner in the FIR. Learned counsel appearing on behalf of the petitioner further submits that petitioner has clean antecedent and he is in custody since 30.12.2020 for no fault.

Considering the aforesaid facts and circumstances of the case as well as perusal of the case diary and also considering the fact one co-accused Baiju Das has already been released on bail vide order dated 02.09.2021 passed in Cr. Misc. No. 22491 of 2021, let the petitioner, above named, be released 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 learned A.C.J.M., Ist, Dalsingsarai in connection with Dalsingsarai P.S. Case No.210 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

Prakash Narayan /-

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