

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27394 of 2021**

Arising Out of PS. Case No.-498 Year-2020 Thana- BRAHMPUR District- Buxar

RAJESH MAHATO Son of Butra Mahato @ Bhagawan Singh Resident of
Village - Rohathua, P.S.- Brahmpur, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Nityanand, APP.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 01-10-2021 Let the defects be removed within two weeks of the
complete start of the physical Court.

Heard the parties in virtual Court.

The petitioner is languishing in custody for the
offence punishable under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Four persons allegedly fired at the father of the
informant, as a result whereof, father of the informant died.

Submission is that the occurrence allegedly took place
on 18.08.2020 and the F.I.R. was lodged on 17.09.2020 after
about a month without any explanation for this delayed
information to the police. Petitioner is in custody since
23.12.2020. Petitioner has got no criminal antecedent.

Considering the facts aforesaid, especially delayed



information to the police creates doubt on the prosecution version for the purpose of consideration of this prayer for bail. Hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Brahampur P.S. Case No. 498 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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