

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35095 of 2020**

Arising Out of PS. Case No.-466 Year-2018 Thana- BARARI District- Katihar

=====

Fulo Mahto, Son of Rameshwar Mahto @ Rameshwar Mandal Resident of  
Village-Bakharpur, P.S.-Pirpainti, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Abhay Kumar Singh

For the Opposite Party/s : Mr.APP

=====

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

2      06-01-2021                      Heard Mr. Abhay Kumar Singh, learned counsel  
  
for the petitioner and Mr. Ram Priya Sharan Singh,  
  
learned APP for the State.

The petitioner seeks bail in connection with  
  
Barari (Semapur) P. S. Case No. 466 of 2018 dated  
  
09.12.2018, instituted for the offences under Sections  
  
302 and 34 of the Indian Penal Code and Section 27 of  
  
the Arms Act, 1959.



In the F.I.R., the petitioner has not been named. Some other accused persons have been named with the allegation of taking away the son of the informant and later killing him. After a considerable lapse of time, it came to light during investigation that the petitioner is a member of the Mohan Thakur gang and therefore he also has been suspected of having taken part in the commission of the murder.

The learned counsel for the petitioner has submitted that beyond the aforesaid fact, there is no other material to connect the petitioner with the offence. The petitioner was also not named in the further statement by the informant even by way of suspicion.

The petitioner is in custody since 02.12.2019.

It has further been urged on behalf of the petitioner that there is no substantial progress in the trial before the court below.

Regard being had to the nature of accusation and the period of custody of the petitioner, he is directed



to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. - V, Katihar, in connection with Barari (Semapur) P. S. Case No. 466 of 2018.

The petition stands allowed.

**(Ashutosh Kumar, J)**

skm/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

