

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34891 of 2020**

Arising Out of PS. Case No.-385 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

Arvind Kumar Mahto Son of Ramaautar Mahato Resident of Village-
Bindusar, Police Station-Siwan Mufassil, District-Siwan. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-03-2021 Heard the learned counsel for the petitioner and

Sri Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Siwan Mufassil PS case no. 385 of 2019 instituted for the offences punishable under Sections 302, 120(B)/34 of Indian Penal Code.

The allegation is regarding the accused persons, some known and some unknown having taken away the son of the informant on the alleged date and time of occurrence, whereafter his dead body was found at the pitch road near the village in question.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 22.11.2019. It is further



submitted that a general and omnibus allegation has been levelled against the petitioner herein. Lastly, it is submitted that there is no eye-witness to the alleged occurrence of killing of the deceased.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case diary, this Court finds that there is minuscule evidence available on record, as far as the petitioner is concerned, to connect him with the alleged occurrence and he has been roped in the present case merely on suspicion. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of 3rd Additional District and Sessions Judge, Siwan in connection with Siwan Mufassil PS case no. 385 of 2019.

(Mohit Kumar Shah, J)

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