

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34210 of 2020

Arising Out of PS. Case No.-12 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Mukesh Mahto S/o Late Bhuneshwar Mahto Resident of Village-Samsa, P.S.-
Naokothi, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 18-01-2021 Let defect Nos.10,11 and 12 be ignored.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 302/120B/34 of the Indian
Penal Code and Section 27 of the Arms Act.

It appears that earlier prayer for bail to the
petitioner was refused on 02.03.2020 in Cr. Misc. No.54707
of 2019.

Learned counsel for the petitioner submits that the
informant (PW 1), who claims to be only eyewitness of the



occurrence, stated that the named miscreants took away his brother forcibly. Thereafter dead body of the brother of the informant was received. Informant stated during trial that due to darkness he could not identify the petitioner; rather on information of others he had named the petitioner and Chhotu @ Gaurav Kumar as co-accused though he has no enmity with these persons.

On the basis of the aforesaid material this Court has already granted bail to Chhotu @ Gaurav Kumar in Cr. Misc. No.26089 of 2020.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (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 Sessions Trial No.7 of 2019, arising out of Naokothi P.S. Case No.12 of 2018, 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)

Mkr./-

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