

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56196 of 2021

Arising Out of PS. Case No.-398 Year-2019 Thana- PHULWARISHARIF District- Patna

Subodh Mahto Son of Dasai Mahto Resident of Village - Khalilpur, P.s.-
Karja, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-12-2021 Heard both parties.

The petitioner seeks bail in Phulwarisharif (Janipur)
P.S. Case No. 398 of 2019, registered for the offence punishable
under Section 395 of the Indian Penal Code.

As per prosecution case, five unknown miscreants
looted away the tractor of informant (driver) and his mobile.

It is submitted on behalf of the petitioner that
petitioner is not named in the FIR. During course of
investigation, name of this petitioner has come in this case on
the basis of confessional statement of co-accused Awadhesh
Mahto and Lalan Das. No incriminating article has been
recovered from possession of this petitioner. Petitioner has not
been put on test identification parade till date. Other co-accused
have been granted bail by this Court vide order dated



22.10.2019 passed in Cr. Misc. No. 64435 of 2019, dated 25.10.2019 passed in Cr. Misc. No. 68411 of 2019 and dated 02.12.2020 passed in Cr. Misc. No. 31361 of 2020. Petitioner is in custody since 27.06.2019.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XV, Patna in connection with Phulwarisharif (Janipur) P.S. Case No. 398 of 2019.

(Prabhat Kumar Singh, J)

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