

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39094 of 2021

Arising Out of PS. Case No.-130 Year-2018 Thana- SIKANDRA District- Jamui

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SOFENDRA MAHTO @ SOFENDRA MAHTON Son of Arjun Mahto
Resident of Village- Habunagar, P.S.- Chandradeep, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-03-2022 Heard.

The petitioner seeks regular bail in connection with S.T. No. 199 of 2018 arising out of Sikandra P.S. Case No. 130 of 2018, registered for the offence punishable under sections 363, 371/34 of the Indian Penal Code.

The allegation is regarding the accused persons having kidnapped the minor son of the informant.

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 13.06.2018. It is further submitted that the recovery of the minor son of the informant has been made from



the house of the daughter of the co-accused person namely Kalo Devi with whom the petitioner is having no concern. The petitioner has been implicated in the present case merely on suspicion on account of the fact that he had stayed on the fateful night in the house of the informant since he was acquainted with the informant and his family members from before.

Per contra, Mr. Damodar Prasad Tiwary, the learned APP for the State, though has vehemently opposed the prayer for bail but has not denied the fact that the minor son of the informant has been recovered from the house of the co-accused person namely Kalo Devi.

Having regard to the facts and circumstances of the case and considering the submissions made by the parties as also considering the materials available in the case diary, this court finds that minuscule evidence is available so as to connect the petitioner with the alleged crime and moreover, the petitioner is languishing in custody since about 4 years, hence, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond



of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Court of A.D.J.F.T.C. 1st, Jamuni in connection with S.T. No. 199 of 2018 arising out of Sikandra P.S. Case No. 130 of 2018.

(Mohit Kumar Shah, J)

Tiwary/-

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