

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64304 of 2021**

Arising Out of PS. Case No.-474 Year-2019 Thana- MAHUA District- Vaishali

Sanjay Mahto @ Bechan Son of Dev Chandra Mahto Resident of Village-
Bind Toli Hathsarganj, P.S.- Town Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-02-2022 Heard both parties.

The petitioner seeks bail in Mahua P.S. Case No. 474 of 2019, registered for the offence punishable under Sections 395, 397 of the Indian Penal Code.

As per the prosecution case, on 19.08.2019 at night while informant and his wife were sleeping at 12.30 they heard sound of cutting grill and saw that having broken the door near about half dozen dacoits having arm entered into the house and committed loot of ornaments, cloths, utensils and cash etc. and assaulted the informant due to which he sustained head injury thereafter they fled away on two motorcycles.

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 surfaced in this case on



the basis of confessional statement of co-accused Raja @ Prince @ Sarfaraj who has been granted bail by this Court vide order dated 22.12.2020 passed in Cr. Misc. No. 29147 of 2020. No looted article has been recovered from possession of this petitioner. No test identification parade has been held till date. It is submitted that petitioner is accused in five more cases, but he is on bail in two cases. Petitioner is in custody since 12.05.2021 and thus he has remained in custody for more than one year. Investigation is complete.

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 14th Additional Chief Judicial Magistrate, Vaishali, Hajipur in connection with Mahua P.S. Case No. 474 of 2019.

(Prabhat Kumar Singh, J)

vinita/-

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