

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66969 of 2021

Arising Out of PS. Case No.-189 Year-2021 Thana- KATEYA District- Gopalganj

Manendra Kumar Mahto, S/o Rangeela Mahto, Resident of Village - Sarari,
Nonia Tola, P.S. - Goreakothi, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Bardhan Pandey, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Kateya P.S. Case No. 189 of 2021 registered for the alleged offences under Sections 302 and 34 of the Indian Penal Code.

The prosecution case is that the petitioner and co-accused persons murdered the husband of informant.

The learned counsel for the petitioner submits that petitioner is not named in the FIR and he has been made an accused in this case on the basis of his confessional statement.



Learned counsel further submits that the petitioner has been apprehended merely on suspicion and nothing incriminating has been recovered from the possession of the petitioner. He is in custody since 9.6.2021.

Learned APP opposes the prayer for bail. He submits that during investigation, the name of the petitioner came up and he along with other co-accused persons killed the husband of informant.

Having regard to the submissions made hereinabove and considering the fact that the nothing incriminating has been recovered at the instance of the petitioner as it appears from the perusal of case diary and further considering the period of his custody, the petitioner above named is directed to 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 learned Additional District and Sessions Judge-V, Gopalganj in connection with Sessions Trial No.309 of 2021 arising out of Kateya P.S. Case No. 189 of 2021, subject to the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.



(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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