

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2876 of 2023

Arising Out of PS. Case No.-144 Year-2022 Thana- DARBHANGA RAIL P.S. District-
Samastipur

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MANTOSH SAH S/O RAM LAXMAN SAH @ RAM LACHHAN SAH
Resident of village- Madhuban, Ward No- 04, P.S.- Punaura, District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-04-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Rail Darbhanga
(G.R.P./D.B.G.) P.S. Case No. 144 of 2022 dated 17.08.2022
registered for the offences punishable u/s 302 and 379 of the

Indian Penal Code.

As per the prosecution case, some unknown

miscreants are alleged to have committed murder of the



informant's father at night.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case on account of suspicion. Learned counsel has further submitted that the petitioner is not named in the FIR, name of the petitioner has sprung up in the confessional statement of co-accused Suryabala Devi and Guddu Kumar who have stated the modus operandi as to how the occurrence took place with the association of the petitioner and other co-accused persons. Learned counsel has further submitted that there is no eye witness to the alleged occurrence. Learned counsel has further submitted that there is no allegation against the petitioner except confessional statement of the co-accused Suryabala Devi and Guddu Kumar. The petitioner has got no criminal antecedent as stated in para-3 of the bail application. The petitioner is in judicial custody since 20.08.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Judicial
Magistrate 1st Class (Railway), Samastipur in connection with
Rail Darbhanga (G.R.P./D.B.G.) P.S. Case No. 144 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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