

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8139 of 2023

Arising Out of PS. Case No.-298 Year-2022 Thana- BIBHUTIPUR District- Samastipur

MODI MAHTO @ PRAMOD KUMAR MAHTO Son of Late Barhamdeo
Mahto R/v- Mohanpur Boriya, P.S.- Bibhutipur, District- Samastipur
... .. Petitioner/s

Versus

The State Of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha
For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201, 120(B) of the Indian Penal Code.

As per prosecution case, the informant alleged that her husband Babloo Sahni went with Ram Bharose Paswan & Amrit Paswan but he did not return. Further, the informant raised strong suspicion that the FIR named accused persons in connivance with others committed murder of her husband and disappear his dead body.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather he has falsely been implicated in this case on the basis of suspicion. During course



of investigation, one co-accused Sattan Mahato was arrested by the police who confessed his guilt and also disclosed the name of this petitioner. The co-accused Sattan Mahot stated in his confessional statement that FIR named Ram Bharose Paswan chopped the neck of the informant's husband due to which he died. It is further submitted that no other consistent material has come on record against the petitioner. Moreover, the petitioner is languishing in judicial custody since 13.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bibhutipur P.S. Case No. 298 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge-IIInd, Rosera at Samastipur.

(Sunil Kumar Panwar, J)

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