

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20087 of 2023

Arising Out of PS. Case No.-817 Year-2018 Thana- NAGAR District- Vaishali

MANTU MAHTO S/O Nanda Mahto R/O Village- Hathsarganj, P.S- Hajipur
Town, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-04-2023 Heard the parties.

Petitioner renews his prayer for regular bail in connection with Hajipur Town P.S. Case No. 817 of 2018 dated 12.11.2018 registered under Section 394 of the I.P.C.

This is second attempt for bail on behalf of the petitioner inasmuch as earlier bail application of the petitioner was dismissed as withdrawn vide order dated 19-04-2022 passed in Cr. Misc. No. 41157 of 2021 granting liberty to the petitioner to renew his prayer for bail after six months.

The allegation as per the F.I.R. is that four unknown miscreants snatched the bag from the informant and on protest one of the accused fired upon him which hit



on the right side of waist of the informant.

Learned counsel for the petitioner submits that the name of the petitioner has transpired on the basis of confessional statement of the co-accused Manish Rai. No incriminating and / or looted article has been recovered from the possession of the petitioner and similarly situated accused persons namely Abhishekh Singh @ Nikky, Praveen Kumar @ Lalaji, Shahwaj Ali @ Munna, Lucky @ Gyan Ranjan, Manish Rai @ Manish Kumar Rai, Nitish Kumar @ Nitish Rai and Jyoti Rai have been granted bail by different Co-ordinate Benches of this Court in Cr. Misc. Nos. 21962 / 2019 , 32050 / 2019 , 32843 / 2019 , 31772 / 2019, 48839 / 2019 , 53251 / 2019 & 61456 / 2019 respectively which would be evident from Annexure- 3 Series to this bail application. The petitioner is in custody since 29.05.2019.

Having regard to the submissions made by the parties, taking into consideration the fact that petitioner is in custody since 29.05.2019 i.e. for almost about four years and similarly situated co-accused persons have been granted bail by Co-ordinate Benches of this Court, I am inclined to grant regular bail to the petitioner.



Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000 /- (twenty thousand) with two sureties of the like amount each to the satisfaction of Ms. Ghazala Tasneem, J.M. 1st Class, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 817 / 2018 on the condition that the petitioner shall remain physically present on each and every date during the course of trial and in case of default on two consecutive dates, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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