

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20700 of 2023

Arising Out of PS. Case No.-372 Year-2022 Thana- BYPASS District- Patna

MANTOSH KUMAR S/O- VISHWANATH KEWAT Resident of Village-
Sadikpur Machua Toli Ps- Alamganj Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Vardhan

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case in-
stituted for the offence under Sections 302/ 34 of the Indian Pe-
nal Code and Section 27 of the Arms Act.

As per prosecution case, while the informant's
brother, namely, Sourabh Abhinandan and his friend Chandan
Kumar were standing near Shitla Mandir Road, Roopwati Com-
munity Hall, after parking his Scooty, some criminals attacked
and fired upon the brother of the informant, which hit on his
cheek and when Chandan Kumar intervened, criminals also
fired upon him, which hit on his head. It is further alleged that
informant's brother, namely, Sourabh and his friend Chandan
Kumar both succumbed to gun shot injuries and doctor of



NMCH, Gaighat declared them as brought dead.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. FIR is against unknown. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Sanjay Kumar Keshari @ Chiku, which has got no evidentiary value in the eyes of law. Nothing incriminating article has recovered from the conscious possession of the petitioner. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 28.04.2023 passed in Cr. Misc. No. 28.04.2023. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 10.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Patna City, Patna in connection with Patna City Bypass P.S.



Case No. 372 of 2022.

(Sunil Kumar Panwar, J)

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