

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18731 of 2023

Arising Out of PS. Case No.-284 Year-2022 Thana- ASHTHAWAN District- Nalanda

Banaras Prasad @ Loha Singh @ Vanaras Mahto, aged about 68 years,
Gender- Male, son of late Sadashiv Mahto, resident of village- Akbarpur, P.S-
Asthawan, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. D. K. Sinha, Sr. Advocate with
Mr. Alexander Ashok, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-05-2023 Heard Mr. D. K. Sinha, learned senior counsel for the

petitioner and learned Additional Public Prosecutor for the

State.

2. The petitioner seeks bail in connection with
Asthawan PS Case No. 284 of 2022 dated 21.10.2022, instituted
for the offence punishable under Sections 302, 201, 120-B/34 of
the Indian Penal Code.

3. It is alleged in the FIR that after committing murder
of father of the informant by some unknown person, his dead
body was concealed in the septic tank of Polytechnic College.

4. Learned senior counsel for the petitioner submits
that the petitioner is not named in the FIR and only on the basis
of confessional statement of Basudeo Paswan he has been



implicated in this case. There is no eye witness to the occurrence. Learned counsel further submits that there is land dispute between Pino Devi and the deceased. It is further submitted that except the alleged intimate relationship of the petitioner with Pino Devi, there is nothing against the petitioner. It is further submitted that one of the co-accused, Surya Mani Kumar, has been granted bail by the Court below itself. The Court below has referred to para 59 of the case diary, wherein, it is mentioned that there was land dispute between Pino Devi and the deceased.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda, Bihar Sharif, in Asthawan PS Case No. 284 of 2022.

(Khatim Reza, J)

J. Alam/-

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