

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23675 of 2023

Arising Out of PS. Case No.-7 Year-2022 Thana- SUPPI District- Sitamarhi

Sukhari Mahto Son of Jokhu Mahto R/V- Musachak PS- Bairgania Dist-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 395 of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of the Explosive Act.

As per prosecution case, about 25-30 unknown persons attacked over the residence of informant and barged in the general store of his brother and nephew and after breaking the lock, they took away the articles and money from the shop.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to local politics. The petitioner is not named in the F.I.R. and his name has been transpired during investigation on the basis of



confessional statement of co-accused namely Jitendra Paswan which has got evidentiary value in the eye of law. Neither any incriminating article has been recovered from the possession of the petitioner nor the T.I.P. has been conducted by the police till date. Except confession of the co-accused no any material has come against the petitioner during investigation which shows his complicity in the present occurrence. The petitioner is languishing in judicial custody since 12.08.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Suppi P.S. Case No.07 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-X, Sitiamarhi/concern Court.

(Sunil Kumar Panwar, J)

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