

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30437 of 2023

Arising Out of PS. Case No.-662 Year-2020 Thana- SUGAULI District- East Champaran

Brij Kishor Mahato @ Brij Kishore Kumar Son Of Late Rameshwar Prasad
Resident Of Village - Phulwariya, P.S. - Sugauli, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 395 and 397 of the
Indian Penal Code.

3. As per prosecution case, when the informant was
going to godown with truck loaded with 500 bags of Sugar in
the meantime, six unknown miscreants sitting in the car
overtook his truck and committed mar-pit with him and his
Khalashi and looted away truck and his cash of Rs. 60,000/-,



mobile phone. It is further alleged that the miscreants tied him in a tree and released in the morning, thereafter, informant informed the owner of the truck.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Sanjeet Kumar. He submitted that the alleged loaded truck was recovered near Jitaura Chowk on the road side and unloaded bags of sugar was recovered from the godown of one Madan Prasad. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He is languishing in judicial custody since 04.03.2023.

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

6. Having heard learned counsel for the parties and considering 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 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 Court below in connection with Sugauli P.S. Case No. 662 of 2020.

(Sunil Kumar Panwar, J)

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