

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33265 of 2023

Arising Out of PS. Case No.-167 Year-2021 Thana- SONBERSA District- Sitamarhi

LALIT KUMAR S/o- VIKAU MAHTO @ BIKAU MAHTO Village- Bela
Ps- Sonbarsa Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Smiti Bharti

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the informant alleges that her husband came from Delhi during lock-down and developed friendship with the petitioner and used to feast and roam with him. Further on 20.6.2021, the petitioner took the deceased to village Indarwa for participating in a feast and after feast the petitioner took the deceased to the place of occurrence at Bela Parsa NH-77 on the pretext of taking bus ticket, where three motorcycle borne criminals came and fired upon the deceased indiscriminately as a result of which he died. There is strong



suspicion against the petitioner that he in connivance with Vivek Mahto along with six unknown criminals killed her husband.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in the present case. The name of the petitioner came into light in this case on the confessional statement of co-accused namely, Vivek Mahto, which has no evidentiary value in the eye of law. Similarly situated other accused namely, Sujeet Kumar has already, been granted privilege of regular bail by this Bench vide order dated 13.3.2023 passed in Cr. Misc. No. 69930 of 2022. It is further submitted that the entire prosecution hinges around the suspicion. Moreover, the petitioner is languishing in judicial custody since 21.3.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 released on bail in connection with Sonbarsa P.S. Case No. 167 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate,
Sitamarhi.

(Sunil Kumar Panwar, J)

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