

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34485 of 2023**

Arising Out of PS. Case No.-594 Year-2022 Thana- BARH District- Patna

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BHIM MAHTO @ SANJEEV KUMAR @ SANJEEV KUMAR @ BHIM  
MAHTO Son of Naresh Mahto @ Naresh Prasad Resident of Village-  
Dargahi Tola, PS- Pandarak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      14-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for bail in a case  
registered for the offence punishable under sections 224, 34,  
225, 201, 120(B), 211 of the Indian Penal Code.

As per allegation in the FIR, on 8.9.2022, at 12  
O'clock 39 prisoners were brought to Barh Court from sub-  
jail Barh. Three prisoners, namely, Lalan Singh, Rajnish  
Kumar Singh and Manish Kumar Singh wanted in Barh PS  
Case No. 139 of 2016 were have to produce before the court  
of ADJ-V. In the meantime, police personal got information  
that all three were fled away from Hazat after breaking the  
wall of toilet. Allegedly, petitioner has supported them in



fleeing away them.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. On the alleged date of occurrence the petitioner was in custody in Sub-Jail, Barh and he was not brought to court. So there is no question to participate in alleged occurrence. There is no direct or indirect evidence against the petitioner to show his complicity. His name sprang up in this case in confessional statement of co-accused Kundan Chaudhary, which has no evidentiary value in the eye of law and co-accused Kundan Chaudhary has already been enlarged on bail vide order dated 18.5.2023 passed in Cr. Misc. No. 22160 of 2023 by another Bench of this court. Petitioner is languishing in judicial custody since 25.2.2023.

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



ACJM 1<sup>st</sup> Barh, Patna in connection with Barh P.S. Case No.  
594 of 2022.

**(Sunil Kumar Panwar, J)**

sushma/-

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