

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34628 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- MEHANDIGANJ District- Patna

Baghwa alias Badhwa alias Bobby son of Dinesh Mahto alias Botal Mahto
R/o- Jain Mandir Ps- Bypass Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

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

2. The petitioner seeks bail in connection with Sessions Trial No. 454 of 2023 arising out of Mehandiganj P.S. Case No. 148 of 2022 dated 19.09.2022, instituted for the offence punishable under Sections 302, 201, 34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 19.09.2022, the informant, on the basis of received information, found a dead body laying in Galla (Jalkumbhi) at Bena Sah ke Bag and his head was covered with plastic sack.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the



petitioner is not named in the F.I.R. Learned counsel for the petitioner submits that during investigation, on the basis of secret report, co-accused Sunny Kumar, Pawan Kumar and Karan Kumar were arrested on suspicion and they confessed that they have committed murder along with petitioner and one Rohit Kumar. Learned counsel for the petitioner submits that similarly situated co-accused Rohit Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 03.05.2023 passed in Criminal Miscellaneous No. 9269 of 2023. Learned counsel for the petitioner further submits that no incriminating article has been recovered from the possession of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 18.11.2022 having one criminal case. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

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 learned Additional Sessions Judge III, Patna City, Patna, in Session Trial No. 454 of 2023 arising



out of Mehandiganj P.S. Case No. 148 of 2022.

(Khatim Reza, J)

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