

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47241 of 2023**

Arising Out of PS. Case No.-153 Year-2022 Thana- AMDABAD District- Katihar

Ramanand Mahto @ Chulhai Boss S/O Late Rambilash Mahto R/O Village-  
Kant Nagar, Karha Gola, Ps. Barari, Dist. Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      07-08-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with  
Amdabad P.S. Case No. 153 of 2022 registered for the offence  
under Sections 302/120-B/34 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is  
in custody since 27.05.2023.

4. The allegation against the petitioner is to commit  
murder of father-in-law of informant alongwith other named co-  
accused persons by using *Bhala*, where occurrence arises out of  
pending land dispute between the parties.

5. Learned counsel appearing on behalf of the  
petitioner submitted that narration of F.I.R. clearly speaks that  
informant is not the eye witness of the occurrence, who failed to



identify the miscreants involved in the occurrence, where she named 8 co-accused persons including this petitioner out of suspicion as land disputes was pending between them and her father-in-law/deceased. It is submitted that out of said suspicion nothing surfaced during the course of investigation as to connect petitioner with present occurrence of murder. It is further submitted that similarly situated co-accused persons, namely, Enarul haque, Mokhtar Alam and Abu Talib have already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 74615 of 2022 vide order dated 06.04.2023. While concluding the argument, it has been submitted that petitioner found involved in three more criminal cases, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion nothing appears against this petitioner, where informant is not the eye witness of the occurrence coupled with the fact that charge-sheet has already submitted, where



petitioner is in custody since 27.05.2023, accordingly, above named petitioner is directed to be released on bail in connection with Amdabad P.S. Case No. 153 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Katihar/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

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