

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47747 of 2023

Arising Out of PS. Case No.-271 Year-2023 Thana- CHANPATIA District- West Champaran

GORAKH MAHTO @ RAM PRAVESH KUMAR Son of Sri Raghunath
Mahto Resident of village - Sirisiya Vishwas, P.S. - Chanpatia (Sirisiya), Dist.
- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 02-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. Petitioner seeks regular bail in connection
with Chanpatia (Sirisiya) P.S. Case No.271 of 2023 dated
06.05.2023 registered for the offence/s punishable under
Section/s 302 and 120(B) of the Indian Penal Code and Section
27 of the Arms Act.
3. The main submissions advanced by the
learned counsel for the petitioner are that the petitioner is not
named in the FIR and he has been languishing in jail since
10.05.2023 and against him there is no criminal antecedent.
Further submission is that during investigation mainly on the
basis of petitioner's phone's network location as well as his
communication with the deceased on mobile phone, he has been



dragged in this case but except this there is no any other material against him and in this regard the order impugned may be perused and also there is no direct evidence against the petitioner to show his involvement in the alleged crime.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the facts that the petitioner is not named in the FIR and he is a young person and against him the investigation has been completed and as per order impugned he has been made accused during investigation on account of his phone's network location having been found near the place of occurrence as well as his communication with deceased on mobile phone and also taking into account his fair and clean antecedent, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be released on bail in connection with Chanpatia (Sirisiya) P.S. Case No.271 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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