

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47500 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- BARARI District- Katihar

SANTOSH KUMAR MAHTO @ SANTOSH MAHTO S/O NATHUNI
MAHTO R/O VILLAGE- GURUMELA, PS. BARARI DIST. KATIHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 04-08-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Barari P.S. Case No. 115 of 2023 dated 16.4.2023 registered for the offence punishable u/s 341, 323, 379, 384, 504, 506, 386 read with section 34 of the Indian Penal Code and 27 of the arms Act.
4. As per the prosecution case, the petitioner and the co-accused persons along with six unknown persons are alleged to have fired from pistol. Further, the co-accused, Sonu Mahto



demanded money on the point of pistol and the petitioner along with co-accused Nathuni Mahto assaulted one Manoj Chaudhary and took away Rs. 25,000/- from his possession. Further, the accused persons also demanded Rs. 1 lakh as ransom.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that there is no specific allegation against the petitioner regarding assault or firing. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.5.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Barari P.S. Case No.



115 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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