

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52049 of 2023

Arising Out of PS. Case No.-173 Year-2023 Thana- SONBERSA District- Sitamarhi

Raj Kumar Mahto Son Of Kishori Mahto Resident Of Village- Madhesara,
Ward No. 13, Ps- Sonbarsa, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Bihari Tiwary

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304 (A) of the Indian Penal Code and Section 304 of the IPC was also added.

As per prosecution case, the allegation against unknown miscreant is that he after dashing the Bihar Home Guard, namely, Dinesh Thakur fled away. It is further alleged that the injured was taken to near hospital where doctor declared him dead due to sustained injures.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



his confessional statement which has got no evidentiary value in the eye of law. Neither the petitioner was apprehended on the spot nor he is not named in FIR, except suspicion no consistent has come out against the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 24.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sonbarsa P.S. Case No. 173 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi.

(Sunil Kumar Panwar, J)

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