

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52359 of 2023

Arising Out of PS. Case No.-383 Year-2022 Thana- AGAMKUAN District- Patna

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MOHAN KUMAR @ BRIJ MOHAN KUMAR RAVI SHANKAR SAW
R/O-MAKHDUMPUR, SHIVAJI NAGAR, P.S.-DIGHA, DISTT.-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Anand

For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 302, 120(B) and 34 of the Indian Penal Code.

3. It is a case of commission of murder of the informant's husband namely, Karan Mahto @ Ganauri by the accused persons.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case by the police merely on suspicion due to his previous criminal antecedent. He is not named in the F.I.R. There is no



eye witness or material evidence came against the petitioner during investigation. His name has come on the basis of his self confessional statement and confession of other co-accused Banti @ Sadhu before police, which has no evidentiary value in the eye of law. Similarly situated co-accused namely, Dharmendra Kumar Mahto @ Dhara has already been granted bail vide order dated 23.05.2023 passed in Cr. Misc. No. 25701 of 2023. Petitioner is languishing in judicial custody since 14.02.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Patna in connection with Agamkuan P.S. Case No. 383 of 2022.

(Sunil Kumar Panwar, J)

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