

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54874 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- MADHUBAN District- East Champaran

PUJAN MAHTO Son Of Kailash Mahto Resident Of Village- Naykatola,
Ward No. 10, P.S.- Madhuban, Distt- East Chmaparan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Law, Adv. Mr. Shivam Singh, Adv.
For the Informant/s	:	Mr. Rakesh Kumar No.1, Adv.
For the State	:	Mr. Murli Dhar, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 30-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Madhuban P.S. Case No. 112 of 2023, dated 11.03.2023 registered
for the offence(s) punishable under Section(s) 302 and 201/34 of
the Indian Penal Code.

3. The main submissions advanced by petitioner's
counsel are that the petitioner is not named in the FIR and he has
fair and clean antecedent and as per allegation levelled by the
informant, the main accused is Guddu Singh who has been granted
bail by a co-ordinate Bench of this Court vide order passed in Cr.
Misc. No. 43608 of 2023 and the petitioner has been dragged in
the present matter merely on the basis of confessional statement of
said co-accused Guddu Singh and no serious allegation appears



against him if the said confessional statement is taken into account and the informant has simply raised suspicion and she is not eye-witness of the alleged occurrence. Further submissions are that the petitioner has been languishing in jail since 12.03.2023 and against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly the privilege of bail having been granted to the main accused who is named in the FIR by a co-ordinate Bench of this Court and also, the fact, that the petitioner is not named in the FIR and the informant made allegation merely on the basis of suspicion and she is not stated to be eye-witness of the alleged occurrence, in my opinion, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Madhuban P.S. Case No. 112 of 2023.

(Shailendra Singh, J.)

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