

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54852 of 2023

Arising Out of PS. Case No.-213 Year-2017 Thana- SONBERSA District- Sitamarhi

LADDU KUMAR @ LADDU KUMAR MAHTO S/o- SATYANARAYAN
MAHATO Village- Sonbarsa Chandani Chowk @ Sonbarsa Ps- Sonbarsa
Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Bharat Bhushan, 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
Sonbarsa P.S. Case No.213 of 2017 dated 09.08.2017 registered
for the offence/s punishable under Section/s 364 and 302/34 of the
Indian Penal Code.
3. The main submissions advanced by the
learned counsel for the petitioner are that the FIR of the instant
matter is based on the complaint filed by the
informant/complainant against six persons including the petitioner
which goes to show that there is no serious allegation against the
petitioner and the main allegation of intoxicating the victim is
against the co-accused person namely Sujay Sah, the complainant
had some dispute with the co-accused persons and as per
allegation the petitioner simply helped the other co-accused
persons in taking and admitting the victim at Primary Health



Centre, Sonbarsa except this there is no any other allegation against the petitioner. Further submissions are that in the complaint petition the allegations were levelled mainly on the basis of suspicion and petitioner had no reason to be involved in the criminal intent of the other accused persons and as per the complaint, the date of the alleged occurrence is 26.06.2017 while the complaint was filed on 07.08.2017, against the petitioner there is criminal antecedent of one case in which he is on bail and in the present matter, he has been languishing in jail since 16.05.2023 and against him the investigation has been completed.

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

5. Considering the above submissions and mainly the nature of allegation appearing against the petitioner from the complaint petition discussed above, 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 Sonbarsa P.S. Case No.213 of 2017 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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