

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59950 of 2023

Arising Out of PS. Case No.-118 Year-2022 Thana- SISWAN District- Siwan

PAWAN MAHTO son of Gorakh Mahto Village- Kishunbari Ps- Siswan
Chainpur Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 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 Section 395 of the Indian Penal Code.

According to the FIR, the informant alleged that some unknown miscreants came and looted cash of Rs. 50,000/- as well as other articles on gun point and fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather he has falsely been implicated in this case due to village politics and high handedness of police. Neither the petitioner was put on TI parade nor any looted article has been recovered from his



conscious possession. The name of the petitioner has been transpired in this case on the basis of confession made by co-accused namely, Sunil Singh before the police which is inadmissible in the eye of law. Similarly situated co-accused namely, Akhtar Rain has already been enlarged on bail by this Court vide order dated 26.06.2023 passed in Cr. Misc. No. 33865 of 2023 which is annexed as Annexure-2 of this petition. Moreover, the petitioner is languishing in judicial custody since 15.03.2023.

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 Siswan P.S. Case No. 118 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Siwan.

(Sunil Kumar Panwar, J)

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