

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58295 of 2022

Arising Out of PS. Case No.-3 Year-2021 Thana- KURSAILA District- Katihar

Alok Kumar @ Alok Mahto @ Alakh Son Of Ram Bilash Mahto, R/V-
Gandhigram Bind Toil, P.S- Kursela in The Dist. of Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 24-02-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No. 359 of 2022, arising out of Kursela P.S. Case
No. 03 of 2021 lodged under Section 302 of the I.P.C. read with
Section 27 of Arms Act.

As per prosecution, the F.I.R. has been lodged against
unknown criminals. The death of deceased took place by
unknown person by fire arm.

Learned counsel for the petitioner submits that F.I.R.
has been lodged against unknown person. He further submits
that petitioner has named in the F.I.R. only and only by virtue of



suspicion. Counsel further submits that nothing incriminating was recovered from possession of the petitioner, his antecedent is clean and he is in custody since 14.03.2022. He further submits that except suspicion, nothing has figured in the investigation against the petitioner. He also submits that other co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 4.02.2023 passed in Cr. Misc. No. 49954 of 2022.

Learned counsel for the State opposes the prayer for bail and submits that in the investigation, strong suspicion is against the present petitioner.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Katihar in connection with S.Tr. No. 359 of 2022, arising out of Kursela P.S. Case No. 03 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

Petitioner is directed to do all the needful, so that they must not delay in the trial.

With this observation, the bail application stands



allowed.

(Dr. Anshuman, J.)

ravishankar/-

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