

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59319 of 2023

Arising Out of PS. Case No.-430 Year-2020 Thana- KHAGARIA District- Khagaria

Baijnath Mahton @ Vijay Mahton Son Of Kedali Mahton Village- Madhua
Ghaghara, Ps- Bakhari, Dist- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Ramakant Akela

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 34 of the Indian Penal Code.

3. Allegation against the unknown accused persons is that they committed murder of the informant's son and threw his dead body in a lonely place near the river.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of co-accused person before the police during the course of investigation.



Nothing consistent material has come against the petitioner to implicate in the alleged offence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide Annexure-2 of this petition. Moreover, the petitioner is languishing in judicial custody since 16.03.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Khagaria(Gangaur) P.S. Case No. 430 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIIth, Khagaria.

(Sunil Kumar Panwar, J)

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