

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63330 of 2023

Arising Out of PS. Case No.-18 Year-2023 Thana- KATIHAR GRP CASE District- Katihar

Bittu @ Bittu Kumar Mahto, S/O Subodh Mahto @ Subodh Kumar Mahto @
Subodh Kumar, R/O- Mirchaibari, Ward No.- 4, P.S- Sahayak Katihar, Distt.-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case instituted for the
offences under Sections 326, 394 and 307 of the Indian Penal
Code.

3. As per the allegation, the informant alleged that 3-4
unknown persons surrounded him and his brother over the
railway over-bridge and snatched Rs. 1000/- and a mobile phone
from their pockets. It is further alleged that on protest, these
miscreants stabbed his brother by means of dagger, owing to
which his brother sustained injury.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 31.01.2023 and has got no
criminal antecedent. There is no allegation of tampering of



witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The petitioner is not named in the FIR. The name of this petitioner transpired in the present case on the basis of confessional statement of co-accused, namely, Md. Munna @ Michael. There is no recovery of any incriminating article from the possession of the petitioner. Except for this, there is no other substantive evidence to suggest his implication in the present case.

5. On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Katihar Rail P.S. Case No. 18 of 2023.

(Sudhir Singh, J)

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