

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61841 of 2023

Arising Out of PS. Case No.-51 Year-2017 Thana- KAJRA District- Lakhisarai

SHYAM MAHTO SON OF BANARSI MAHTO RESIDENT OF VILLAGE
- URAIN, P.S. -KAJRA, DISTRICT - LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302/34 of the Indian
Penal Code.

3. The allegation against the petitioner along with
others is of committing murder of the husband of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to old
dispute. He has committed no offence. Petitioner is not named
in the FIR and the same has been lodged against unknown
persons. During investigation, the name of the petitioner has
come into light, on the basis of suspicion and his criminal
antecedents. There is no specific overt act against the petitioner.



He submitted that due to previous dispute the informant changed her statement and in her re-statement named the petitioner as an accused. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 23.08.2022 passed in Cr. Misc. No. 72363 of 2021. He is languishing in judicial custody since 13.02.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Kajra P.S. Case No. 51 of 2017.

(Sunil Kumar Panwar, J)

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