

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62527 of 2023

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

AKALU MAHTO @ DHANU MAHTO SON OF RAMNATH MAHTO
RESIDENT OF VILLAGE- KISHUNWARI, PS- SISWAN, DISTT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-10-2023 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 section 395 of the Indian Penal Code.

3. As per FIR, the allegation against the unknown miscreants is that they entered in the house of the informant and committed dacoity and took away cash Rs. 50,000/-, or-nament and cloths worth Rs. 10 lakhs.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the basis of confessional statement of



co-accused. The petitioner is not named in the FIR and he has no concern with the alleged occurrence. Neither the petitioner was put on TIP nor any looted article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by this Court vide order dated 08.09.2023 passed in Cr. Misc. No. 59950 of 2023. The petitioner is languishing in judicial custody since 02.03.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, 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 Sessions Judge-VII, Siwan.

(Sunil Kumar Panwar, J)

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