

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59382 of 2022

Arising Out of PS. Case No.-109 Year-2022 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Gadar Kumar @ Kaushal Kumar @ Kaushal @ Gadar Mahto Son Of Ramakant Mahto R/V- Sikandarpur, P.S- G.B. Nagar, Dist- Siwan
 2. Krishna Mahto Son Of Lakhi Mahto R/V- Sikandarpur, P.S- G.B. Nagar, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-02-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 302, 201/34 of the

Indian Penal Code.

It is a case of commission of murder of the son

of the informant by the petitioners and other co-accused

persons.

It is submitted by learned counsel for the



petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. There is general and omnibus allegation against the petitioners and there is no specific overt act of allegation levelled against them. Nothing incriminating has been recovered from the possession of the petitioners and there is no eye witness of the alleged occurrence. There is no consistent material evidence and only on the basis of hearsay the name of petitioners has been sprang up in this case. Moreover, the petitioners are languishing in judicial custody for more than six months. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to



enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with G.B. Nagar P.S. Case No. 109 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. III, Siwan.

(Sunil Kumar Panwar, J)

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