

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62540 of 2022**

Arising Out of PS. Case No.-96 Year-2022 Thana- SIWAN RAIL P.S. District- Saran

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Abhishek Kumar @ Abhishek Kumar Mahto @ Nandu Kumar Son Of Ram
Kumar Mahto R/O Vill.- Bheldi, P.S.- Bheldi, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 18-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302, 324/34 of the Indian Penal Code.

Prosecution case relates to assault by three unknown miscreants to the nephew of the informant by giving him knife blow while he was returning from Siwan Railway Station and during treatment he died.

It is submitted by learned counsel for the petitioner



that the petitioner is innocent and he has falsely been implicated in the present case. FIR is against three unknown persons. He further submits that on the basis of CCTV footage, the accused persons were identified and their photographs were pasted at walls and then by the villagers, petitioner was identified as one of the accused. Petitioner was arrested and by applying force, police has recorded his self confessional statement, which has no evidentiary value in the eye of law. No consistent evidence and no eye-witness is brought on record to show the involvement of the petitioner in the alleged crime. No T.I. Parade has been conducted by the prosecution. The petitioner has no criminal antecedent as stated in para-3 of the bail petition. It is also submitted that petitioner is languishing in judicial custody since 12.07.2022.

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 petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Siwan Rail P.S. Case No. 96 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each to the satisfaction of the
learned Railway Judicial Magistrate, Sonapur, Saran at Chapra.

(Sunil Kumar Panwar, J)

Arish/-
Sushma/-

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