

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67814 of 2022

Arising Out of PS. Case No.-323 Year-2022 Thana- BARAUNI District- Begusarai

Gabbar @ Ajay Mahto Son Of Kanhaiya Mahto R/V- Belthu, P.S.- Shahkund,
District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 342, 323, 448, 364(A) r/w Section 34 of the Indian Penal Code.

As per prosecution case, informant alleged that on 13.07.2022, when she and her husband was at their home all of sudden two unknown miscreants came there and started assaulting her husband and they forcibly took away her husband in a Scorpio vehicle. It is further alleged that miscreants told her that after giving three lakh rupees her husband would be released.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



confessional statement of co-accused. Neither petitioner is named in the FIR nor any direct or indirect material has come against him. It is submitted that the FIR has been lodged after two days delay of alleged occurrence. Husband of the informant (victim) has criminal background due to which he was arrested by the local police in Barauni P.S. Case No. 25/2022 and since then he is judicial custody. It is further submitted that the petitioner is not put on TIP moreover he is languishing in judicial custody since 17.07.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 Barauni (Chakiya) P.S. Case No. 323 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 Chief Judicial Magistrate, Begusarai.

(Sunil Kumar Panwar, J)

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