

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65340 of 2022

Arising Out of PS. Case No.-41 Year-2021 Thana- JANTA BAZAR District- Saran

SUBASH MAHATO S/o Sakal Mahato R/o Village- Basahi, P.S.- Janta Bazar,
Distt-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-03-2023 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, 201/34 and 120B of the Indian Penal Code.

The allegation against the petitioner along with others is of killing the son of the informant by strangulating him and thereafter hang him on a tree.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case due to village party politics. He submitted that only on the basis of mere suspicion the petitioner along with others co-accused has been implicated in the present case.



He further submitted that there is no eye-witness and no consistent evidence have supported the involvement of the petitioner in the alleged crime. He submitted that there is general and omnibus allegation against the petitioner. There is no direct or indirect evidence to connect the petitioner with the alleged occurrence The petitioner has no criminal antecedent as stated in para-3 of the bail application. It is also submitted that petitioner is languishing in judicial custody since 24.07.2022.

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 Janta Bazar P.S. Case No. 41 of 2021 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 J.M.-1st Class, Saran at Chapra.

(Sunil Kumar Panwar, J)

Arish/-
Sushma/-

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