

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70111 of 2023

Arising Out of PS. Case No.-61 Year-2022 Thana- BARARI District- Katihar

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Pawan Kumar Mahato @ Pawan Kumar Mahto S/O Mohan Mahto Village-
Uchla, Ps. Barari, Dist. Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 387/34 of the Indian Penal Code and Section 27 of Arms Act.

3. The prosecution case in nutshell is that the boatman of the informant was threatened by unknown miscreants and demanded extortion. It is further alleged that when he raised protest, one miscreant fired at the boat man which did not hit anyone. Petitioner was caught by the informant with the help of villagers.



4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. No specific overt act of allegation is levelled against the petitioner rather the allegation of demanding extortion is levelled against co-accused Vijay Yadav. It is further submitted that good sense has been prevailed between the parties and a joint compromise petition has been filed in the Court of Learned A.C.J.M III, Katihar. Moreover, the petitioner is languishing in judicial custody since 28.02.2022.

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

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on



bail in connection with Barari P.S. Case No. 61 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 A.C.J.M. III, Katihar.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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