

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73073 of 2022**

Arising Out of PS. Case No.-200 Year-2021 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Sabindra Mahto @ Bhuwar @ Bhuwar Mahto S/O Jagmohan Mahto Resident
of village- Bharatpura, P.S.- G.B. Nagar, District- Siwan, Pin Code- 841506

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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

3 19-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323, 364,
302,201/34 of the Indian Penal Code and Section 27 of the Arms
Act.

Allegedly, 13 FIR named accused persons including
the petitioner are said to have kidnapped the son of the
informant and thereafter shot him as a result of which he died. It
is further alleged that the accused persons have disposed of the
dead body in a ditch.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. No one is



the eye witness of the alleged occurrence. Only on the basis of suspicion, the name of the petitioner has been dragged in the present case. Petitioner was only the member of mob. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 23.02.2023 passed in Cr. Misc. No. 59090 of 2022. Petitioner is languishing in judicial custody since 30.6.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XI, Siwan in connection with G.B. Nagar P.S. Case No. 200 of 2021.

(Sunil Kumar Panwar, J)

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