

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77754 of 2023

Arising Out of PS. Case No.-214 Year-2022 Thana- BARIYARPUR District- Munger

Pramod Mahto S/O- Late Wakil Mahto Village- Mehauri Ps- Muffasil Dist-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Rakesh Kumar Singh, Advocate
For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bariarpur P.S. Case No. 214 of 2022 instituted for the offence
under Sections 364/34 of the Indian Penal Code and later on
302/120(B) of the Indian Penal Code.

3. The prosecution case, in short, is that on 27-12-
2022 at about 4:30PM, the husband of informant left the house
to roam around but never return back, hence, informant's family
inquired and found that informant's husband was seen with co-
accused on four-wheeler. It is alleged that owner of the vehicle
have kidnapped the informant's husband with intention to kill

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 30-12-2022. Petitioner bears two criminal antecedents.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner's name has been surfaced in this case on confessional statement of co-accused. Charge sheet has been submitted in this case. Other co-accused persons have been granted bail by Co-ordinate Bench of this Court passed in Cr. Misc. No. 26840 of 2023, 29014 of 2023 and 32616 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and fact that charge-sheet having been submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bariarpur P.S. Case No. 214 of 2022 subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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