

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77469 of 2023

Arising Out of PS. Case No.-326 Year-2023 Thana- MOKAMAH District- Patna

Mano Mahto @ Manu Kumar S/O Jagli Mahto @ Jangal Mahto R/O Village-
Janjira, Shivnar, Chatarpura, Bind Toli, Mokama, P.S- Mokama, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 379 of the Indian Penal Code.

3. As per prosecution case, informant alleged that the FIR named accused persons stolen his tempo bearing registration no. BR1PJ-6748.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. His name was transpired on disclosure of spy. It is further submitted that at the instance of confessional statement of this petitioner, the alleged stolen tempo was recovered from *Dhabha* of one Saket Kumar Singh,



not from possession of this petitioner. The confession before police is inadmissible in the eye of law. The petitioner has got no criminal antecedent and languishing in judicial custody since 26.8.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mokama P.S. Case No. 326 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Baarh.

(Sunil Kumar Panwar, J)

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