

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.584 of 2023

Arising Out of PS. Case No.-447 Year-2021 Thana- KANTI District- Muzaffarpur

RAJU MAHTO Son of Surendra Mahto @ Jatal Mahto R/V- Vishunduttpur,
P.S- Kanti, Dist- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 341, 324, 326, 307, 302, 120(B)/34 of the Indian Penal Code.

As per prosecution case, the informant alleged that his brother went to shop of one Surender Mahto where, the accused persons including the petitioner took him with them. Thereafter, the informant came to know that his brother was killed by them by means of knife and his dead body was recovered from Mango orchard.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to grudge and enmity. From perusal of FIR, there is no eye-witness of the alleged



offence rather the name of the petitioner has come into light only on the basis of suspicion. Except this, nothing consistent evidence has come against the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, similarly situated co-accused namely, Manoj Mahto has already been granted bail by a co-ordinate Bench of this Court vide order 7.2.2023 passed in Cr. Misc. No. 56935 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 22.9.2022.

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

Having heard learned counsel for the parties and considering 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 released on bail in connection with Kanti P.S. Case No. 447 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur.

(Sunil Kumar Panwar, J)

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