

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80687 of 2023

Arising Out of PS. Case No.-227 Year-2023 Thana- SAMASTIPUR District- Samastipur

Raj Kumar Mahto Son Of Ram Swarth Mahto @ Ram Sogarath Mahto
Resident Of Village- Gorai, P.S.- Chak Mehshi, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-12-2023 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 sections 324, 326, 307, 120B and 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of Arms Act.

3. As per prosecution case, while the deputed constables were bringing the accused persons of different cases for production in the Court, in the meantime, some culprits started firing which hit two of the accused persons due to which they sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The



petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of other co-accused person before the police which has got no evidentiary value in the eye of law. Nothing consistent material has come against the petitioner. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 02.12.2023 in Cr. Misc. No. 75383 of 2023. Moreover, the petitioner is languishing in judicial custody since 18.10.2023.

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 Town P.S. Case No. 227 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 Chief Judicial Magistrate, Samastipur.

(Sunil Kumar Panwar, J)

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