

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29523 of 2024

Arising Out of PS. Case No.-158 Year-2023 Thana- BHAGWAN BAZAR District- Saran

Mahendra Kumar @Sanichar SON OF BHARAT MAHATO Mohalla-
Ratanpura, Ojha Toli, PS- Bhagwan Bazar, District -Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code.

3. Allegation against the accused persons including the petitioner is that they committed murder of the informant's son namely, Sundram Kumar Ojha with conspiracy. On 16.4.2023 petitioner and co-accused Shiv Kumar Mahto took the deceased from his house on the pretext of eating samosa and he did not return home. After three days, on getting foul smell, informant and villagers went to the place and found his dead body.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case merely on suspicion due to last seen. The F.I.R. has been lodged after the delay of two days without any cogent explanation. No one is the eye witness of the alleged occurrence. During course of investigation, no consistent evidence has come to suggest the involvement of the petitioner in the alleged occurrence. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 29.01.2024 passed in Cr. Misc. No. 65924 of 2023. Petitioner is languishing in judicial custody since 6.12.2023.

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

6. 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 Chief



Judicial Magistrate-I, Saran at Chapra in connection with
Bhaagwan Bazar P.S. Case No.158 of 2023.

(Sunil Kumar Panwar, J)

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