

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49930 of 2024

Arising Out of PS. Case No.-206 Year-2021 Thana- MANIHARI District- Katihar

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Dhrub Singh @ Dhruva @ Dhruv Mahto S/o Simal Mahto @ Shayamlal
Mahto R/o vill - Manihari (Maraline), P.S. - Manihari, Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Manihari P.S. Case No. 206/2021 dated 19.09.2021 registered for the offences punishable u/s 147, 148, 149, 364, 302, 201, 307, 386, 387 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons along with 6-7 miscreants are alleged to have shot the informant's uncles, namely, Mahesh Yadav @ Mahesh Prasad Yadav and Sunil Yadav dead and their dead body were thrown at the bank of Ganga river under conspiracy with wives of the co-accused persons. It is further alleged that the co-



accused Bipin Yadav fired on the head of Mahesh Yadav @ Mahesh Prasad Yadav and the co-accused Ram Niwas Yadav fired on Sunil Yadav upon the order of the co-accused Saheb Yadav.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The specific allegation of firing is against the co-accused persons Bipin Yadav and Ram Niwas Yadav. The other co-accused person has already been granted bail by this court *vide* order dated 22.05.2023 passed in Cr. Misc. No. 22428/2023. The petitioner has three criminal antecedents and he is on bail in all the aforesaid cases as stated in para 3 of the bail petition. The petitioner is in custody since 19.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Manihari P.S. Case No.



206/2021, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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