

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72630 of 2023

Arising Out of PS. Case No.-746 Year-2021 Thana- DEHRI TOWN District- Rohtas

Mantu Giri Son Of Mahesh Giri @ Mahesh Goswami R/O Village- Shivala Road Bhatti Mohalla, P.S.- Daltenganj, District- Palamu, State- Jharkhand, Presently R/O Village- Hamidganj Pathar, P.S.- Daltenganj, District- Palamu (JHARKHAND)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-02-2024 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 302 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against the petitioner along with other co-accused persons is that they committed murder of the informant's brother by firearm.

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 due to old enmity. The petitioner is not named in FIR rather his name came into light in this case during investigation on the basis of confessional



statement of other co-accused, namely, Shubham Singh who confessed that he killed the informant's brother by firing. No any specific overt act of firing against the petitioner. Except confession of co-accused person, nothing consistent material has found against him. Moreover, the petitioner is languishing in judicial custody since 20.06.2023.

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 Dehri Nagar P.S. Case No. 746 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 S.D.J.M., Dehri, Rohtas.

(Sunil Kumar Panwar, J)

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