

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78849 of 2023

Arising Out of PS. Case No.-24 Year-2022 Thana- LAKHISARAI District- Lakhisarai

=====

Mahesh Kumar Son Of Mahendra Sao @ Mahendra Saw R/O Village-
Ashtghati More, Naya Bazar, Ward No.28, P.S.- Lakhisarai (Kabaiya),
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Harendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-01-2024 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,
120(B)/34 of the Indian Penal Code.

3. As per prosecution case, the informant alleged that
this petitioner along with co-accused persons collided the
alleged pick up van with the deceased with regard to previous
enmity, due to which the victim died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in the FIR. His name has come into light
on the basis of confessional statement of co-accused Rohit



Kumar who is owner of the pick up van. From perusal of FIR, it is evident that the vehicle was driven by co-accused Manoj Kumar at the time of this incident. No one is eye witness of the alleged occurrence. No any consistent material has come against the petitioner. It is also submitted that earlier to the occurrence, co-accused Sudhir Saw is said to have threatened the deceased to dire consequences and he has also been granted bail by a co-ordinate Bench of this Court vide order dt. 16.3.2023 passed in Cr. Misc. No. 44356 of 2022. The petitioner has got no criminal antecedent and languishing in judicial custody since 10.8.2023.

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

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Lakhisarai P.S. Case No. 24 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Lakhisarai.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

