

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82912 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- Manikpur District- Lakhisarai

Kishore Mahto @ Kishore Kumar S/O Kapildev Mahto R/O Village-
Banshipur, P.S- Medani Chowki, Distt.- Lakhisarai.

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Mukesh Kumar, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Manikpur P.S. Case No.
77 of 2024, instituted for the offences punishable under Sections
309(4), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, four
unknown miscreants entered into the house of the informant
while she was sleeping and have taken away her mobile along
with jewellery articles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by the co-accused, namely, Sunil Kumar and the same has got no evidentiary value. It is further submitted that no looted articles have been recovered from the possession of the petitioner and no T.I. parade has been conducted in this case. The petitioner is in custody since 27.07.2024 and has got two criminal antecedents in which he is on bail in both the cases. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 21.10.2024 passed in Cr. Misc. No. 71678 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Manikpur P.S. Case
No. 77 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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