

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33769 of 2024

Arising Out of PS. Case No.-44 Year-2016 Thana- TARAIIYA District- Saran

Rajendra Mahto son of Late Ram Jatan Mahto Village- Pokhera Ps- Taraiya
Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate
		Mr. Rabindra Kumar Tiwari
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 24-01-2025 Heard learned Senior Counsel for the petitioner and

Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor

for the State.

2. The S.H.O. Taraiya police station and the
Investigating Officer of the case have appeared. They have
assisted the Court.

3. The petitioner seeks bail in connection with Taraiya
P.S. Case No. 44 of 2016 registered for the offence punishable
under Sections 341/323/326/307/504/34 of the Indian Penal
Code. Later on Section 302 of the Indian Penal Code was also
added.

4. Learned counsel for the State will file counter
affidavit today in the Filing Section of this Court.



5. It has been argued by the learned Senior Counsel for the petitioner that a video clip of the deceased making statement was recorded by some villagers which was uploaded on Facebook and social media. In that statement, the deceased has not named the petitioner but has named four persons who are named in the first part of the F.I.R. and subsequently the petitioner and one Mahesh Mahto have been made accused in the second part of the F.I.R. The petitioner is in jail since 09.05.2023 and he has claims to have clean antecedent.

6. The S.H.O. has submitted that he had showed the video to the son of the deceased who has identified his mother but he has said that the allegations levelled in the F.I.R. are true.

7. In the circumstances, for the purposes of bail, this application is allowed.

8. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge, Saran at Chapra/ concerned court in connection with Taraiya P.S. Case No. 44 of 2016.

9. The petitioner is directed to co-operate in the trial. So far as the video clip is concerned, the Investigating Officer of



the case will try to locate the device from the villager who had recorded the case and thereafter get it examined in the F.S.L. so that guilty persons are convicted and the accused persons and the petitioner and one more person who may not have participated in the crime may not be proceeded against.

10. These observations and directions are only for the purposes of bail and the observations made in this petition will not affect the trial.

11. The personal appearance of the S.H.O. Taraiya police station and the Investigating Officer of the case is dispensed with.

(Sandeep Kumar, J)

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