

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8692 of 2015

Arising Out of PS.Case No. -293 Year- 2012 Thana -BARAULI District- GOPALGANJ

1. Vinod Kumar Mahto @ Vinod Mahto son of Nathuni Mahto resident of
Village - Dangasi, Police Station - Sindhwaliya, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar

For the Opposite Party/s : Mr. Ram Sewak Choudhary(App)

CORAM: HON'BLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 10-04-2015

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Barauli P.S.
Case No. 293 of 2012 registered for the offences punishable under
Sections 395, 412 of the Indian Penal Code.

Allegedly a truck loaded with Chura (a type of beaten
rice) was intercepted by miscreants, after stopping their Bolero in
front of the truck and on the point of pistol, truck was taken in
possession and thereafter at some distance driver, informant and
merchant of Chura were got down after snatching their mobile and
cash and miscreants fled away with the loaded truck.

Submission is of false implication and further that the

petitioner is not named in the F.I.R.. Nothing has been recovered and on the basis of confessional statement of co-accused Anil Singh, he has been remanded and confession of the petitioner has also been recorded forcefully and the petitioner who is suffering in custody since 25.8.2014 deserves sympathetic consideration as co-accused Anil Singh has already been allowed bail vide Cri. Misc. No. 20071 of 2013 by another Bench of this Court

Learned A.P.P. is not in a position to distinguish the case of the petitioner.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Gopalganj arising out of Barauli P.S. Case No. 293 of 2012 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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