

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24835 of 2015

Arising Out of PS.Case No. -50 Year- 2012 Thana -CHAUTHAM District- KHAGARIA

Ravi Mahton S/o Late Rampukar Mahton Resident of village - Thuthi, P.S.
Chautham, District - Khagaria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Binod Kumar, Advocate.

For the Opposite Party : Mr. Amit Kumar Rakesh (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 05-10-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 341, 307, 302 and 160 of
the I.P.C

Allegedly, by local Chaukidar and nearby person it
was informed that between the gang of Rajbali Yadav and Ravi
Mahto earlier there was altercation and thereafter from both sides
firing was done resulting from the firing done by Ravi Mahto and
Nakul @ Nakla, Rajbali Yadav was killed and Santosh Yadav
became injured and further due to firing made by Ghoghal Yadav,
Bhujar Yadav and Santosh Yadav, Sajjad was killed and Azmat
was seriously injured.



Submission is of false implication and that except disclosure of the names by the co-villager and chaukidar there appears nothing specific against the petitioner except general and omnibus allegation and further other co-accused have already been allowed bail. Co-accused Nakul @ Nakala @ Nakul Mahto having similar allegation has been allowed bail vide Cr. Misc. No. 48907 of 2012 and further co-accused Ramesh Yadav @ Lambu Yadav has been allowed bail vide Cr. Misc. No. 43563 of 2012 and the petitioner is suffering in custody since 09.02.2015 though there is no eye witness of the occurrence.

The learned A.P.P. is not in a position to distinguish the case of the petitioner from that of co-accused Nakul @ Nakala @ Nakul Mahto but submits that the petitioner is ring leader of one gang and he has got criminal antecedent also. In reply the learned counsel for the petitioner submits that the petitioner is on bail in all other cases and he is in custody in this case only.

Considering that similarly situated co-accused Nakul @ Nakala @ Nakul Mahto has been allowed bail, as stated above, and as such the petitioner is also directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Begusarai in Chautham P.S. Case No. 50 of 2012, subject to the

conditions that one of the bailors must be a 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)

Abhay/-

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