

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50467 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -CHERIABARIYARPUR District- BEGUSARAI

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1. Nitish Kumar Mahto, S/o- Ram Jeevan Mahto R/o- Chakwa, P.S.- Khodawanpur District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Chandra Bhushan Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 21-12-2015

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Cheriabariyarpur P.S. Case No. 10 of 2015 registered for the offences punishable under Sections 385/387 of the Indian Penal Code.

Allegedly co-accused Nagmani Mahto, Dhiraj Kumar and 5 unknown armed with pistol, demanded ransom of Rs. 2,00,000/- and due to refusal, started assaulting the informant and further assaulted the mother of the informant. The miscreants are being protected by villagers Subhash Mahto, Ashok Mahto, Dharmendra Mahto, Jhandu Mahto and Gopal Mahto and during investigation, the name of the petitioner also transpires in the statement of co-accused.

Submission is of false implication and that co-accused

Dhiraj Kumar named in the F.I.R., has already been allowed bail by the learned court below itself and the petitioner is suffering in custody since 19.05.2015.

Learned A.P.P. opposes the prayer of bail by submitting that petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering that F.I.R. named co-accused Dhiraj Kuimar has already been allowed bail by learned court below by B.A. No. 306/2015 and, as such, 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 A.C.J.M., (Manjhaul) Begusarai arising out of Cheriabariyarpur P.S. Case No. 10 of 2015 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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