

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35541 of 2014

Arising Out of PS.Case No. -32 Year- 2014 Thana -SRINAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Ram Lal Mahto Son of Late Indrashan Mahto Resident of village-
Pujahan Patjeerwa, Police Station- Shri Nagar (Pujahan), District- West
Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Anil Kr. Singh No. I (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 16-02-2015

Heard the learned counsel for the petitioner, the
learned A.P.P as well as learned counsel for the informant.

The petitioner seeks bail in a case for the offences
punishable under section 386 of the I.P.C.

Allegedly the petitioner and others caused threats not
to depose in Sessions Trial No. 566 of 2013 failing which to kill
him and his witnesses and further demanded Rs. 12,00,000/-
which has been expended in the case. It is stated that the petitioner
has got licensee rifle, gun and revolver, though his license has
been cancelled but still he is possessing fire arms and is causing
threats.

Submission is that in that murder case the petitioner
has been allowed bail and only with a view to keep him confined

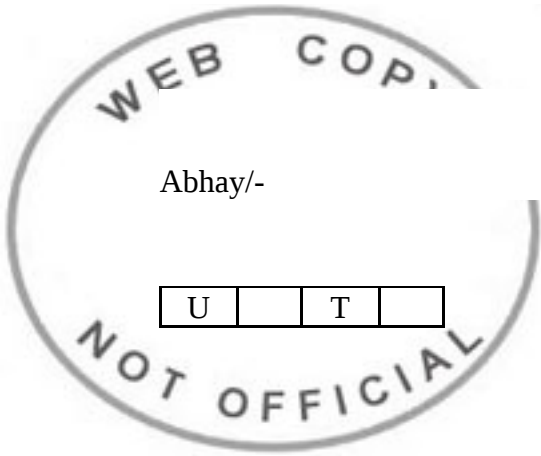
this case has been lodged falsely. During investigation only against the petitioner charge sheet has been submitted and against rest the allegation has been found false. There is no payment and as such no offence under section 386 I.P.C. is made out.

It is true that the petitioner is involved in twelve cases but in three cases he has been acquitted.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner is causing threats which have been supported during enquiry.

Considering the submissions urged at the bar, going through the record and noticing that there is enmity between the parties, Sessions Trial for the murder is going on against the petitioner also wherein the petitioner is on bail and as such considering detention of the petitioner now he is 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 Shri Amit Kumar, J.M. Ist Class, West Champaran at Bettiah in Shri Nagar Pujahan P.S. Case No. 32 of 2014, 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)