

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31345 of 2015

Arising Out of PS.Case No. -71 Year- 1999 Thana -SILAO District- NALANDA
(BIHARSHARIFF)

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Awadh Mahto son of Late Bhudhar Mahto, resident of village-
Muzaffarpur, P.S. Nalanda, District Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 29-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Sessions
Trial No.714B of 2006 arising out of Silao (Nalanda) P.S. Case
No.71 of 1999 registered under sections 147, 148, 323 and 307
read with 34 of the Indian Penal Code and section 27 of the Arms
Act. The prayer for bail of the petitioner was earlier rejected by
this Court vide order dated 27.11.2014 passed in Cr.Misc
No.42723 of 2014.

It is contended that in a case of misuse of privilege of
bail the petitioner has remained in custody for more than a year.

Regard being had to the facts and circumstances of the
case, the petitioner named above 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 Additional Sessions Judge-IV, Nalanda in connection with Sessions Trial No.714B of 2006 arising out of Silao (Nalanda) P.S. Case No.71 of 1999 subject to the following conditions :

- (i) the petitioner shall not influence the witnesses or tamper with any document;
- (ii) at the time of furnishing the sureties, the petitioner shall furnish his address to the Court and shall not change his address till the final disposal of the case or till further orders in that regard;
- (iii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;
- (iv) the petitioner shall not do any act prejudicial to the interest of the prosecution;
- (v) one of the sureties must be a Government servant / elected people's representative of Panchayat / Municipality; and the other shall be a close relative; and
- (vi) the petitioner shall abide by the above conditions scrupulously and in case of violation of any of the conditions, the prosecution would be at liberty to move the Court for cancellation of bail.

Md.S./-

(Ashwani Kumar Singh, J)

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