

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48806 of 2015

Arising Out of PS.Case No. -10 Year- 2008 Thana -ASHTHAWAN District- NALANDA
(BIHARSHARIFF)

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1. Karu Mahto @ Raghubir Prasad @ Devendra Mahto @ Raghubir Kumar
Son of Sri Shambu Mahto, resident of village -Ishwarchak, P.S. - Bind,
District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Opposite Party/s : Mr. Choubey Jawahar(App)

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

ORAL ORDER

3 10-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Ashthawan P.S. Case No. 10 of 2008 registered for the offences
punishable under Sections 120(B), 286, 302, 34 of the Indian
Penal Code and Section 27 of the Arms Act.

The bail bond of the petitioner was cancelled on
08.01.2013 as on that date during course of evidence, the
petitioner was absent and thereafter the petitioner was
apprehended on the strength of permanent warrant on 22.08.2015
and since then, he is in custody.

Submission is that the petitioner has gone to earn his

livelihood and his Pairvikar did not make proper Pairvi in this case, resulting his bail bond was cancelled. The Pairvikar did not inform the petitioner regarding his cancellation of bail and now by remaining in custody, he has been sufficiently penalized.

The learned A.P.P. submits that permanent warrant has been issued and then the petitioner has been apprehended.

In the facts and circumstances stated above, considering the period of absconding and custody of the petitioner, now 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 Vth Addl. Session Judge, Nalanda at Biharsharif arising out of Ashthawan P.S. Case No. 10 of 2008 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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