

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 50646 of 2015

Arising out of P.S.Case No. -133 Year- 2014 Thana –RAM KRISHNA NAGAR
District- PATNA

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Gobind Mahto S/O Sri Vishwanath Mahto, resident of Mohalla
Jaypur- Dhanuki, P.S. Agam Kuan, Dist- Patna. Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad, Adv.

For the Opposite Party/s : Mr. Durgesh Nandan (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Ram
Krishna Nagar P.S. Case No. 133 of 2014 for the offence
punishable under Section 395 of the Indian Penal Code.

Allegedly, 6-7 unknown miscreants after
overpowering informant as well as Vikash Kumar, looted 208
pieces of mustard oil tin of 15 kgs.

Submission is of false implication and that the
petitioner has not been put on T.I.P., though he is in custody since
02.07.2015 and nothing has been recovered from the possession of
the petitioner and the name of the petitioner has come in the
confessional statement of co-accused Tunna Saw and in this case

co-accused Sunil Kumar has been allowed bail by the Court below itself and further Sonu Kumar and Ajay Mahato have been allowed bail by another coordinate Bench of this Court and, as such, the petitioner also deserves sympathetic consideration.

Learned APP is not in a position to distinguish the case of the petitioner.

In the facts and circumstances stated above, the petitioner Gobind Mahto, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri Raghvendra Narayan Singh J.M. 1st Class, Patna, arising out of Ram Krishna Nagar P.S. Case No. 133 of 2014 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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