

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9884 of 2016

Arising Out of PS.Case No. -126 Year- 2015 Thana -MARANCHI District- PATNA

1. Rama Kant Mahto, Son of Late Hari Mahto, resident of Village Navki Bind Toli, Simariya Ghat, P.S.- Chakiya, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Dr. Ravindra Kumar (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 26-04-2016 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Maranchi P.S.Case No. 126/2015 registered for the offences punishable under section 395 and 412 of the I.P.C.

Allegedly, 7-8 miscreants snatched cash of Rs. 70,000/- and 50,000/- and five mobiles from the informant and others, who were engaged in cremation of the dead body. During investigation, looted mobile is alleged to be recovered from the possession of the petitioner.

Submission is of false implication, nothing has been recovered from conscious possession of the petitioner and the petitioner is in custody since 12.01.2016 but he has not been put on TIP and as such, he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer for bail.

In the facts and circumstances stated above, considering after investigation charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner Rama Kant Mahto 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 Shri A. Kumar , learned Judicial Magistrate, Barh in connection with G.R. No. 2241/2015 arising out of Maranchi P.S. (Barh) Case No. 126/2015, 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)

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