

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12140 of 2016

Arising Out of PS.Case No. -183 Year- 2014 Thana -ROSERA District- SAMASTIPUR

1. Sonu Mahto Son of Sri Umesh Mahto Resident of Mohalla - Girls High School, Gudari Bazar, Town and P.S. Rosera, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Navin Kr.Pandey(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-05-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 384, 386, 387 and 307 of the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioner and other FIR named co-accused and five unknown came at the shop of the informant, co-accused Shashi Mahto demanded ransom of Rs. 2,00,000/- and on refusal Umesh Mahto gave order to shoot him and then Umesh Mahto, Shashi Mahto, the petitioner and one unknown opened fire with their pistols which hit both the thigh, left hand and in the left part of the leg.

Submission is of false implication and that the

petitioner has been made accused only due to enmity, there is no specific allegation against him, the allegation of demanding ransom is also not against the petitioner, it is not believable that all the family member will go to demand ransom and the petitioner is in custody since 01.09.2015.

The learned A.P.P. opposes prayer for bail by submitting that the informant has received multiple injuries caused by the fire arm.

In the facts and circumstances as stated above, the petitioner shall be released on bail, **after completion of nine months in custody**, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. Rosera, District- Samastipur in Rosera P.S. Case No. 183 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)

Abhay/-

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