

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16799 of 2016

Arising Out of PS.Case No. -326 Year- 2015 Thana -BAHADURPUR District- DARBHANGA

1. Raushan Kumar Mahto Son of Jai Kishun Mahto, Resident of Village -
Ganj Chauk, Police Station - Bahadurpur and District - Darbhanga.

.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

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

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

3 21-06-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bahadurpur
P.S. Case No. 326 of 2015 registered for the offences punishable under
Sections 420, 467, 468, 414/34 of the Indian Penal Code.

Allegedly, one stolen motorcycle was recovered from
possession of the petitioner and two other co-accused and they
disclosed that they had stolen the said motorcycle from Madhubani
court.

Submission is of false implication and that the petitioner is
suffering in custody since 30.09.2015, he has got no criminal
antecedent, the said motorcycle was not recovered from conscious
possession of the petitioner, the petitioner has not prepared the forged
document and as such he deserves sympathetic consideration to which
the learned APP opposes by submitting that after preparing the forged

documents the petitioner and other co-accused were moving with stolen motorcycle and for theft of that motorcycle Madubani Town P.S. Case No. 365 of 2015 was registered and prayer of bail of co-accused Mithilesh Yadav @ Baba has already been rejected by another co-ordinate Bench of this Court. In reply learned counsel for the petitioner submits that prayer of bail of co-accused was rejected as he carried criminal antecedent of several cases whereas the petitioner has got clean antecedent.

In the facts and circumstances stated above, considering the period of detention, 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 Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 326 of 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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