

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22764 of 2016

Arising Out of PS.Case No. -5 Year- 1998 Thana -SIMRA District-
WESTCHAMPARAN(BETTIAH)

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Nandu Mahato Son of Chhotu Mahato resident of village - Churiharwa,
Ahirwaliya, P.S. Chautarwa, District West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh (App)

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

2 26-05-2016 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 364(A), 120(B), 395 and 397 of the
Indian Penal Code.

On behalf of the petitioner, it is submitted that he has
been falsely implicated in this case, first information report is
against unknown, without any legal and tangible material, he has
been charge sheeted, the name of the petitioner has transpired in
confessional statement of co-accused Bala Chaudhary, the
petitioner was living at Punjab working as labour in a Factory and
was not aware about the case, it has come during investigation that

the crime was committed by the gang of Jaikishun Mallah and the petitioner is also a member of that gang, the petitioner is in custody since 10.2.2016, but no T.I.P. has been done and co-accused Ramadhar Chaudhary has been allowed bail vide Cr. Misc. No.21893 of 2016 by order dated 19.5.2016, other co-accused have also been allowed bail.

The learned A.P.P. submits that this is a case of the year 1998 and the petitioner earlier did not appear.

In the facts and circumstances stated above, considering that by order dated 19.5.2016, co-accused Ramadhar Chaudhary has been allowed bail by another Co-ordinate Bench of this Court and, as such, 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 2nd additional Sessions Judge, Bagaha, District-West Champaran in connection with S. Tr. No.119(A)/99 arising out of Semra P.S. Case No.5 of 1998, 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.

[REDACTED]
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(Jitendra Mohan Sharma, J)

