

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22166 of 2016

Arising Out of PS.Case No. -131 Year- 2015 Thana -RASULPUR District- SARAN

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Ram Bachan Mahto Son of Dharmnath Mahto, Resident of Village - Chand Parsa, Police Station - M.H. Nagar, District - Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satya Prakash, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-05-2016 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is in custody since 16.12.2015 in connection with Rasulpur P.S. Case No. 131 of 2015 for the offences alleged under Sections 399, 402 and 120B of the Indian Penal Code and Sections 25(1-b)a, 26 & 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and it is evident from the very fact that the first information report has been instituted on 15.12.2015 whereas the case number has been mentioned on the seizure list said to have been prepared on the date prior thereto on 14.12.2015 at 9.45 P.M. The seizure list showing recovery of two live cartridges from the possession of the petitioner is doubtful as the same has not been signed by any independent witnesses.

4. In the aforesaid facts let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-X, Saran at Chapra in connection with Rasulpur P.S. Case No. 131 of 2015, subject to the following conditions:-

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure to appear on three consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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