

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51762 of 2015

Arising Out of PS.Case No. -69 Year- 2014 Thana -SARAN GRP CASE District- SARAN

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Ganesh Mahto @ Banra son of late Sanchit Mahto resident of Village-
Barbatta, P.s Sonepur, District Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Manish Kr. 2(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 29-06-2016

Heard learned counsels for the petitioner and
the State.

The petitioner has renewed his prayer for bail
in a case registered for the offences punishable under Sections
399, 402, 414 of the Indian Penal Code and 25(1-B)a/26/35 of the
Arms Act.

On information that the miscreants are
preparing to commit dacoity in train, raid was laid when from the
possession of the petitioner one country made pistol, one live
cartridge and mobile were recovered.

Earlier the prayer for bail of the petitioner
was rejected vide order dated 05.05.2015 passed in Cr. Misc. No.
20131 of 2015 only on the ground that the petitioner is accused in

16 other cases with liberty to the petitioner, if the trial is not concluded within a period of six months, petitioner will be at liberty to renew his prayer for bail.

A report was called for from the learned trial court. The learned 9th Additional Sessions Judge, Saran at Chapra vide letter dated 15.03.2016 transmitted a report that he was not aware about the earlier order of this Court since it was not filed by the counsel for the petitioner, which reflects casual approach of the learned trial Judge. It is in the knowledge of all that the orders of the High Court are available on the website of the High Court and all orders passed in criminal cases are also transmitted to the court concerned. Moreover, the learned trial court ought to have asked the counsel for the petitioner to file the order of this Court.

Since only two witnesses have been examined, a statement has been made in paragraph 3 of the petition that though the petitioner is accused in several cases but he is on bail in those cases and in view of the liberty given in the earlier order, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Sessions Judge, Saran at Chapra in connection with

Sessions Trial No. 624 of 2014 arising out of Sonapur Rail P.S.
Case No. 69 of 2014.

One of the bailors must be wife of the
petitioner and the other will be either govt. servant or a Panchayat
representative.

The learned court below will be at liberty to
cancel the bail bonds of the petitioner in two eventualities i.e. if he
defaults for two consecutive occasions or substantially gets
involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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