

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 7677 of 2016**

Arising Out of PS.Case No. -34 Year- 2015 Thana -JAMALPUR District- MUNGER

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Ramanand Mahton Son of Anik Mahton Resident of Village Shiv Nagar,  
P.S. Kasim Bazar, District Munger.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. D.P.Tiwary (App)

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

3. 24-02-2016 Heard Sri Arvind Kumar Singh, learned counsel for  
the petitioner and Sri Damodar Prasad Tiwary, learned Addl.  
Public Prosecutor.

This is the 2<sup>nd</sup> attempt for grant of bail in Jamalpur  
P.S. Case No. 34 of 2015 registered for the offence under Sections  
25(1-B)A & 26(i) (ii) of the Arms Act, 1959 (corresponding to  
Sessions Trial No. 165 of 2015). The petitioner is in custody since  
21-03-2015, as stated in paragraph – 10 of the petition. Earlier, the  
prayer for bail of petitioner was rejected, vide order dated  
03-12-2015 passed in Cr.Misc. No. 52128 of 2015, however;  
while dismissing the prayer for bail, keeping in view the fact that  
the petitioner is in custody since 21-03-2015, this Court observed  
that if trial is not concluded within two months, the petitioner

would be at liberty to renew his prayer for bail. Accordingly, the petitioner has renewed his prayer for bail.

In this case, a supplementary affidavit has been filed and on oath, it has been stated that till date, four prosecution witnesses has been examined. Meaning thereby that the trial has not concluded till date.

In view of facts and circumstances, particularly the period of custody and last observation of this Court, let the petitioner namely Ramanand Mahton be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 3<sup>rd</sup>, Munger/concerned court in connection with Sessions Trial No. 165 of 2015 (Arising out of Jamalpur P.S. Case No. 34 of 2015) with condition (i) that one of the bailor must be blood relation of the petitioner and (ii) during the trial, the petitioner shall remain physically present on each and every date. If continuously on two dates, the petitioner fails to appear without prior permission of the trial court, his bail-bond shall stand automatically cancelled.

**(Rakesh Kumar, J.)**

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