

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10330 of 2016

Arising Out of PS.Case No. -66 Year- 2014 Thana -MANSURCHAK District- BEGUSARAI

Santosh Kumar Mahton S/o Raghunandan Mahton Resident of village -
Khoksana, P.S. Bibhutipur, District - Samastipur Petitioner/s
Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1, Advocate
For the Opposite Party/s : Mr. R.B. Roy Raman (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 18-04-2016

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

The petitioner seeks bail in connection with
Mansoorchak P.S. Case No. 66 of 2014 registered for the offence
punishable under Section 394 of the Indian Penal Code.

Allegedly, three motorcycle borne criminals overtook
the motorcycle of the informant and at the point of pistol snatched
cash of Rs. 20,000/-, ornaments and Samsung mobile and further
snatched cash of Rs. 1100/- and Nokia mobile from Raj Kumar
Sahni with voter I.D. card, driving license etc. During
investigation witness, Asha Devi stated the name of the petitioner
that in his mobile she has used her SIM and the petitioner stated
that the mobile is snatched one and thereafter he and his two
associates went away from her house.

Submission is of false implication and that the
petitioner is in custody since 13.07.2015, he has not been put on

TIP, nothing has been recovered from physical and conscious possession of the petitioner and merely on the statement of one witness, which is not reliable, the petitioner is suffering in custody to which the learned A.P.P. opposes by submitting that the petitioner has got criminal antecedent and he is involved in seven more cases.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence 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 the learned A.C.J.M., 2nd Begusarai in connection with Mansoorchak P.S. Case No. 66 of 2014 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.

(Jitendra Mohan Sharma, J)

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