

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57715 of 2015

Arising Out of PS.Case No. -47 Year- 2014 Thana -BHOJPUR GRP CASE District- BHOJPUR

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1. BOTEL MAHTO @ SINKU MAHTO S/o Ravishankar Mahto Resident
of Vill- Ratnarh P.s Agion(G), Dist Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mathura Nand Jha (App)

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

ORAL ORDER

3 26-02-2016

Supplementary affidavit has been filed disclosing that

the petitioner has been implicated in 11 other cases also. Keep it

on the record.

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

The petitioner seeks bail in connection with Ara Rail

P.S. Case No. 47 of 2014 registered for the offences punishable

under Sections 302/34 of the Indian Penal Code and Section 27 of

the Arms Act and Section 3(2)(V) S.C/S.T Act.

Allegedly, Ashok Kumar, the nephew of the

informant was shot when he was returning with Suman Kumar and

it is alleged that Ashok Kumar has earlier assaulted a boy when he

was teasing a girl and that boy and his associates told that they

will teach lesson. During investigation the name of the petitioner

transpires that he and other co-accused have earlier caused threats.

Submission is of false implication and that the petitioners are not named in the FIR, only on suspicion the petitioner has been implicated, the petitioner has got criminal antecedent and only on this ground he has been implicated and there is no legal and tangible material against him and as such he deserves sympathetic consideration to which the learned A.P.P. fairly submits that on suspicion the petitioner has been named.

In the facts and circumstances stated above, the petitioner 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 C.J.M., Bhojpur, Ara, in connection with Ara Rail, P.S. Case No. 47 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)

siddharth/-

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