

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14634 of 2016

Arising Out of PS.Case No. -331 Year- 2015 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Pappu Mahto Son of Late Suresh Mahto @ Suraj Mahto Resident of
Village- Chimanpur, PS Lalganj, District Vaishali..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar
For the Opposite Party/s : Mr. Subash Chandra Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 16-05-2016 Heard learned counsel for the petitioner and learned APP for
the Sate.

The petitioner seeks bail in connection with Lalganj P.S.
Case No. 331 of 2015 registered for the offences punishable under
Sections 147, 148, 149, 341, 342, 323, 324, 326, 353, 307, 448, 436,
380, 302, 120B of the Indian Penal Code, Section 27 of the Arms Act
and Sections 3 / 4 of the Explosive Substance Act.

The petitioner and 15 other accused persons are named in the
first information report with allegation that they along with 1000-1200
unknown extremists opened indiscriminate firing upon the Police
personnel when they have gone near Agarpur Badi Masjid and killed
one Police Inspector and further injured 25 Police personnel also.

Submission is of false implication and that there is no specific
allegation against the petitioner, the alleged identification made by the
informant who is a Police Officer appears not probable and reliable and
due to Police firing co-accused Rajesh also died and without any fault

the petitioner is suffering in custody since 22.11.2015.

Learned APP submits that the petitioner is named in the first information report and he has been identified by the informant and further during investigation besides the informant other witnesses who are Police personnel have also named the petitioner.

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, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 331 of 2015, subject to the conditions that one of the bailors must be a 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.

avin/-

(Jitendra Mohan Sharma, J)

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