

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53164 of 2015

Arising Out of PS.Case No. -198 Year- 2014 Thana -WARSALIGANJ District- NAWADA

1. Ram Pravesh Mahto Son of Late Bangali Mahto, Resident of Village-Korma, P.S.- Korma, District- Shekhpura..... Petitioner

Versus

1. The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dhirendra Singh

For the Opposite Party/s : Mr. U.L.Verma(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 13-01-2016

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

Petitioner seeks bail in connection with Warisaliganj P.S. Case No. 198 of 2014 registered for the offences punishable under Sections 302, 201/34 and 120B of the Indian Penal Code.

Allegedly, on suspicion one Alto 800 Blue colour car was caught and co-accused Bhuwan Kumar, Rahul Kumar, Dharmendra Kumar, Sani Kumar and Matendra Kumar were caught whereas one Manoj Kumar fled away and on interrogation they stated that one person of Jharkhand was called whose name is known to only Manoj Kumar and he was killed and his dead body was thrown in Sakri river.

Submission is that the petitioner was not caught in the said car, his name was taken by co-accused Bhuwan Kumar and

others and that Bhuwan Kumar and Matendra Kumar have already been allowed bail by another co-ordinate Bench of this Court vide order dated 08.05.2015 and 27.01.2015 passed in Cr. Misc. No. 11411 of 2015 and 3089 of 2015 respectively and as such the petitioner who is suffering in custody since 02.01.2015 deserves sympathetic consideration to which the learned APP opposes by submitting that the petitioner is the member of gang and has actively participated in the crime.

In the facts and circumstances stated above, 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, Nawada in connection with Warisaliganj P.S. Case No. 198 of 2014, 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.

(Jitendra Mohan Sharma, J)

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