

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27382 of 2016

Arising Out of PS.Case No. -268 Year- 2015 Thana -BAKHRI District- BEGUSARAI

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1. Raja Ram Mahto S/o Prabhu Mahto resident of Madhukarkali P.S. Bakhri District- Begusarai.
 2. Bhushan Mahto S/o Badri Mahto resident of Village Karkuli P.S. Bakhri District Begusarai.
 3. Sahdev Paswan S/o Ram Khelawan Paswan Village- Madhuakarkali, P.S.- Bakhri, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Prasad

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 13-07-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, petitioners are seeking bail in connection with Bakhri P.S. Case No. 268 of 2015 registered for offences under sections 147, 148, 149, 341, 323, 354, 504, 427 of the Indian Penal Code, section 27 of the Arms Act and section 3 (x) SC/ST (POA) Act.

The petitioner had earlier moved before this Court for bail in Cr. Misc. No. 6372 of 2016 and this Court, vide order dated 29.02.2016, rejected the same with the liberty to renew his prayer for bail after completion of six months in jail custody.

The counsel for the petitioner submits that the petitioner no. 1 is in custody since 10.12.2015 and petitioner nos. 2 and 3 are in custody since 20.12.2015, they are in jail more than six months, as apparently clear from paragraph 4 of this bail application.

Looking to the period of custody, let the petitioners, above named, be released on bail on their furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Begusarai in connection with Bakhri P.S. Case No. 268 of 2015, subject to the condition that (i) one of the bailors shall be a close relative of the petitioners (ii) if the petitioners are found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of their bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioners would cooperate in the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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