

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8678 of 2016

Arising Out of PS.Case No. -188 Year- 2015 Thana -BHELDI District- SARAN

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1. Rinku Mahto son of Sadhu Mahto, resident of village- Takeya, P.S.- Bheldi, District- Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Madan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 25-04-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 413 and 414/34 of the I.P.C and sections 25 (1-b) a and 26 of the Arms Act.

Allegedly, the petitioner and co-accused were caught with one motorcycle and further from possession of the petitioner two live cartridges were recovered.

Submission is of false implication and that nothing has been recovered from conscious possession of the petitioner, he has been made victim of the police atrocity, without any legal and tangible material the petitioner is in custody since 29.11.2015, co-accused Sunny Kumar Singh has already been allowed bail vide

Cr. Misc. No. 11133 of 2016, to which the learned A.P.P. opposes by submitting that the petitioner has got criminal antecedent as he is involved in three more cases.

In the facts and circumstances as stated above, the petitioner is also directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Amarendra Prasad, J.M. 1st Class, Saran at Chapra in Bheldi P.S. Case No. 188 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.

(Jitendra Mohan Sharma, J)

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