

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2499 of 2017

Arising Out of PS.Case No. -143 Year- 2016 Thana -JALE District- DARBHANGA

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1. SANJEEV KUMAR MAHTO @SANJEEV MAHTO

2. Mintu Mahto

Both Sons of late Dasari Mahto r/o mohalla - Nunfar Chowk, Sikandarpur,
Saraiyaganj, P.S. - Town, District - Muzaffarpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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

ORAL ORDER

2 28-01-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with Jalley P.S.
Case No. 143 of 2016 registered for the offence punishable under
Section 395 of the Indian Penal Code.

It is submitted that the petitioners are not named in the
first information report, they are in custody since 03.10.2016 but
they have not been put on test identification parade, no
incriminating article has been recovered from possession of the
petitioners, except mobile which is of the petitioners and it has
been alleged that the SIM of looted mobile was used in that
mobile which is without any basis, confessional statements of the
petitioners have been recorded after adopting 3rd degree method



and as such the petitioners deserve sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Jalley P.S. Case No. 143 of 2016, 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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