

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6309 of 2017

Arising Out of PS.Case No. -88 Year- 2016 Thana -SONBERSA District- SITAMARHI

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Ram Pravesh Nirmal @ Ram Pragash Nirmal @ Ram Pragash Mahto @
Ram Pravesh, son of Late Hushaini Mahto, resident of Village- Madhiya,
P.S.- Sonbarsa, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Devendra Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 29-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, who is in custody since 07.05.2016, has renewed his prayer for bail in connection with Sonbarsa P.S. Case No. 88 of 2016 having earlier been rejected by order dated 16.08.2016 in Criminal Miscellaneous No. 32811 of 2016.

3. Pursuant to the order of this Court dated 15.02.2017, a report has been received from the Court of learned Additional Chief Judicial Magistrate-cum-Sub-Judge IV, Sitamarhi, according to which the case is fixed on 17.03.2017 for commitment to the Court of Sessions.

4. It is submitted that the petitioner has been falsely implicated and in any event other similarly situated co-accused such as Birendra Mahto, Ajay Kumar Shivam and Dinesh Mahto @ Dinesh Kumar have been granted anticipatory bail by this Court in Cr. Misc. Nos. 34099 of 2016, 44645 of 2016, and 51262 of 2016 respectively. Petitioner claims clean antecedents.

5. Having regard to the entirety of the facts and



circumstances of the case as well as the period of custody since 15.02.2017 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Sonbarsa P.S. Case No. 88 of 2016 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

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(Vikash Jain, J)

Md. Ibrarul/psc

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