

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14463 of 2017

Arising Out of PS.Case No. -406 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

1. Bechan Mahton, Son of Ram Bilash Mahton,
2. Raj Kumar @ Chorkilwa, Son of Ramphal Mahton, Both Resident of
village - Simariaghat Lawki Bind Toli, P.S. Barauni, District - Begusarai

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1, Advocate

For the Opposite Party/s : Mr. Sri Umesh Lal Verma, A.P.P.

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

ORAL ORDER

3 26-04-2017 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

The petitioners seek bail in connection with
Begusarai Nagar (Town) P.S. Case No. 406 of 2016 registered for
the offences punishable under Sections 399 and 402 of the Indian
Penal Code and Sections 25(1-B)a , 26, 35 of the Arms Act.

Allegedly, acting on a tip off regarding assemblage of
persons for committing dacoity, the informant raided the place and
arrested the petitioners and others and recovered one loaded pistol
from each of the petitioners.

Submission is of false implication and that the
petitioners are in custody since 09.04.2016. The petitioners have
got three cases besides this case and in all the cases they are on



bail and, as such, they deserve sympathetic consideration. Co-accused Babna Kumar @ Baban Kumar has also been allowed bail by coordinate Bench of this Court vide Criminal Miscellaneous No. 11882 of 2017.

The learned A.P.P. fairly submits that the similarly situated co-accused has been allowed bail.

In the facts and circumstances as 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 Additional Sessions Judge-II, Begusarai in connection with Begusarai Nagar (Town) P.S. Case No. 406 of 2016, subject to the conditions that one of the bailors must be 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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