

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31774 of 2017

Arising Out of PS. Case No. -26 Year- 2016 Thana -DAUDNAGAR District- AURANGABAD

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Tinku Mahto, Son of Late Awadhesh Mahto, Resident of Village -
Baidrabad (Muradpur), P.S. Huzura, District- Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 13.04.2017 in connection with Daudnagar P.S. Case No. 26 of 2016 for the offences alleged under Sections 392 and 328 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as the first information report is against unknown person. The petitioner's name has surfaced merely on the basis of extrajudicial confession of co-accused Bhola Paswan. Similarly situated co-accused, namely, Suman Kumar @ Suman Paswan and Bhola Paswan @ Lal Bahadur Paswan have been granted bail by this Court in Cr. Misc. No. 23854 of 2016. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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 Sub-Divisional Judicial Magistrate, Daudnagar, District Aurangabad in connection with Daudnagar P.S. Case No. 26 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) 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.

(iv) 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.

(Vikash Jain, J)

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