

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3646 of 2017

Arising Out of PS.Case No. -228 Year- 2015 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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1. Chandra Prakash Mahto @ Chandra Mohan Mahto, S/o Yogindra Mahto,
R/o Village- Khetapur, P.S.- Sarairanjan, Distt- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Smt. Reena Sinha, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

8 13-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks bail in connection with Jandaha
P.S.Case No. 228 of 2015 registered for offences punishable under
Section 392 of the Indian Penal Code.

The prosecution case as lodged by the Manger of the
Petrol Pump is that three motorcycle borne criminals on gun point
snatched Rs. 1, 12,036/- from the petrol pump.

It has been submitted by the learned counsel for the
petitioner that he is innocent and arrested on 13.11.2015 in
Jandaha P.S. Case No. 227 of 2015 and has been remanded in the
present case on 02.12.2015 and since then languishing in custody.
He submits that in the present case, charge has not yet been



framed and that no T.I.P. has been done so far.

However, learned A.P.P. for the State submits that the petitioner as many as ten cases of similar offences are pending against him and in the present case the petitioner was identified by the Choukidar as well as the CCTV Footage and some money has been recovered from the possession of the petitioner and that the petitioner is a habitual offender, as such, opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record as well as period of custody, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- XI, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 228 of 2015, subject to the conditions that one of the bailors would be a close relative of the petitioner who would have sufficient immovable property within the jurisdiction of the concerned Police Station/ Court, who will file an affidavit stating the genealogy of his relationship with the petitioner and petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning



any reason will entail cancellation of his bail bonds.

It is however, made clear that if the petitioner indulges in a similar nature of offence in future, the learned Court below will be at liberty to cancel the bail bonds of the petitioner.

(Nilu Agrawal, J)

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