

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41935 of 2017

Arising Out of PS.Case No. -134 Year- 2014 Thana -KHODABANDPUR District- BEGUSARAI

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Nagmani Mahto, son of Jai Prakash Mahto, resident of village Khumbhi,
P.S. Cheria-Bariarur, District Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal

For the Opposite Party/s : Mr. Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 06-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Sessions Trial No. 321 of 2016, arising out of Khodawandpur P.S. Case No. 134 of 2014, registered for the offences punishable under Sections 307/34 and 302 of the Indian Penal Code, including 27 of the Arms Act.

Petitioner is not named in the FIR and later on his name transpires during course of investigation.

Submission of learned counsel for the petitioner is that deceased has not disclosed the name of the petitioner as the assailant though he was present there. Further submission is that he is in custody for two and a half years and charge has not been framed in this case.

Heard learned APP also, who has opposed the prayer for bail stating that petitioner has criminal antecedents and he is involved in nine other cases.

Having heard both sides and on perusal of the status report it appears that in this case for framing of charge date was



fixed as 16.10.2017 and considering the fact that petitioner is in custody for more than two years, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-V, Begusarai, in connection with Sessions Trial No. 321 of 2016, arising out of Khodawandpur P.S.Case No. 134 of 2014, subject to the conditions as follows :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner will mark his attendance in local police station in first week of every month at least for a period of one year so that police may watch his conduct during the said period, failing which the prosecution will be at liberty to move for cancellation of his bail bond.

Let this order be communicated to the Superintendent of Police, Begusarai for its compliance.

(Vinod Kumar Sinha, J)

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