

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49286 of 2016

Arising Out of PS.Case No. -91 Year- 2016 Thana -PHULWARIA District- BEGUSARAI

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1. Nago Mahto @ Nago Kumar, son of Late Dhannu Mahto, Resident of Village- Sultanpur Mor, Bind Toli, P.S. Mokama, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai -Advocate

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh-A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 09-02-2017 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor.

Unknown miscreants having duly armed, raided the establishment of J.K.M. Infra Project Limited Plant and further, on the pretext of weapons, they threatened the prosecution party to handover their belongings and during course thereof, after breaking almirah, they took away Rs.1,50,000/-, mobile set, locket, clothes, sandal. During course of investigation, it is evident that call details of looted mobile set were taken out and as per Para-30, Lalan Kumar was arrested, who disclosed that aforesaid SIM was handed over by the petitioner. Furthermore, it is also evident that on his confessional statement (Para-34), so many accused were apprehended. It is also evident from the call details that all the accused were in contact with each other before



commission of the occurrence and further, the tower location suggest their vicinity. Chargesheet had already been submitted, but neither petitioner nor any of the accused, who were apprehended on an inculpatory extra-judicial confessional statement of petitioner, was put on T.I. Parade. Though, the petitioner has got criminal antecedent, but considering the deficiency as indicated above, petitioner, **Nago Mahto @ Nago Kumar** is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Mr. Rahul Kishore, Judicial Magistrate, 1st Class, Begusarai in connection with Fulwaria P. S. Case no.91 of 2016, subject to condition that petitioner will give his presence before the concerned P.S. every fortnight and will file a certificate granted by the Police Station before the learned lower Court. In case, there happens to be failure on the part of the petitioner, then in that event, the learned lower Court will be at liberty to cancel his bail bond.

For strict compliance of the direction, learned lower Court will transmit a copy of the order upon Officer-in-Charge of the concerned P.S.

(Aditya Kumar Trivedi, J)

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