

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26263 of 2017

Arising Out of PS.Case No. -184 Year- 2016 Thana -CHAUTHAM District- KHAGARIA

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1. Ravi Mahto Son of Late Rampukar Mahto, Resident of Village- Thuthi Mohanpur, P.S.- Chautham, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is languishing in jail since 28.03.2017 in a case registered for offences punishable under Sections 147, 341, 323, 379, 385, 307, 504, 506 of the Indian Penal Code and Section 27 Arms Act.

The prosecution case as lodged by the informant is that the petitioner along with other accused persons variously armed came at the door of the informant and fired two rounds on the informant and went away with money and jewelry boxes.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case and Section 307 of the Indian Penal Code is not made out nor Section 379 is attracted as no injury was caused on the informant. It has further been submitted that charge sheet



has already been submitted and there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State vehemently opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and large number of cases are pending against him.

Considering the facts and circumstances, let the petitioner,, above named, be enlarged 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 the learned Chief Judicial Magistrate, Khagaria in connection with Chautham P.S.Case No. 184 of 2016, with a condition that one of the bailors must be a close relative of the petitioner and the other bailor would have sufficient immovable property within the jurisdiction of the concerned police station/ Court and the petitioner is directed to appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds with a further condition that if the petitioner is found to have indulged in an offence of similar nature 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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