

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26415 of 2017

Arising Out of PS.Case No. -154 Year- 2016 Thana -EKMA District- SARAN

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1. Dharmendra Mahto son of Sri Aklu Mahto, Resident of Village- Ekma
Noniya Toli, P.S. Ekma, District Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-06-2017 Heard the parties.

The petitioner seeks regular bail in connection with Ekma
P.S.Case No.154 of 2016 registered for offences punishable under
Sections 302 and 34 of the Indian Penal Code.

Allegation against the petitioner and other accused persons
is that they called upon the deceased and taken her to the house of
one co-accused and there the accused persons including the
petitioner assaulted him by 'Rod' and 'Lathi & Danda', due to
which later on the deceased died.

It is submitted on behalf of the petitioner that there is
general and omnibus allegation against the petitioner and other
accused persons but no specific allegation has been attributed. It
has further been submitted that the other co-accused persons,
whose name are also mentioned in the F.I.R. have already been
granted bail by this Court, vide order dated 28.2.2017 passed in



Cr. Misc. No.5420 of 2017 and order dated 19.4.2017 passed in Cr. Misc. No.8149 of 2017. The petitioner is in custody for three months and the charge-sheet has been submitted.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the other co-accused persons, having similar allegation, have already been granted bail by this Court and now the charge-sheet has also been submitted, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of 11th Additional Sessions Judge, Saran at Chapra in connection with S.Tr. No.107 of 2017 arising out of Ekma P.S.Case No.154 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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