

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2046 of 2017

Arising Out of PS.Case No. -29 Year- 2017 Thana -SC/ST District- BHABHUA (KAIMUR)

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Sanjeet Mahto @ Sanjeet Kumar Mahto, son of Kailash Prasad resident of
Village- Rajakuar Police Station Bihar Distt- Nalanda.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Rabindra Prasad Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-08-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order dated 5.6.2017 passed by 1st Additional Sessions Judge-cum-Special Judge, Kaimur at Bhabhua, in Regular Bail Application filed by the appellant arising out of SC/ST (Bhabhua) P.S.case No. 29 of 2017 registered under Sections 420, 406, 504, 506, 467, 468, 471, 386/34 of the Indian Penal Code and 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail to the appellant.

Allegation as per FIR is that a forged company was constituted by accused persons and on the promise of false assurance the nephew of the appellant with the help of appellant



has opened Bank account and cheated the informant and further allegation is that the appellant has confessed his guilt.

It has been submitted on behalf of the appellant that there is absolutely no allegation against the appellant except his confession and he is in custody for more than two months.

Learned Special P.P. has opposed the prayer for bail.

Having heard both sides and in view of facts and circumstances, as stated above, the appeal is allowed and the impugned order is set aside.

Let the appellant, named above, be enlarged 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 1st Additional Sessions Judge-cum-Special Judge, Kaimur, Bhabhua, in connection with SC/ST Reg. No. 136 of 2017, arising out of SC/ST (Bhabhua) P.S.Case No. 29 of 2017, subject to the following conditions :-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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