

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47270 of 2017

Arising Out of PS.Case No. -84 Year- 2017 Thana -BATHNAHA District- SITAMARHI

=====

1. Mukesh Raut @ Maksudan @ Madhusudan, Son of Upendra Raut,
Resident of Village- Majhauilya, P.S.- Bathnaha, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Md. Sufiyan

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
21.03.2017 in connection with S.T. No. 387 of 2017 arising out of
Bathnaha P.S. Case No. 84 of 2017 for offences punishable under
Sections 414, 412 of the Indian Penal Code and Sections 25 (1-
b)A, 26(ii) & 35 of the Arms Act.

The prosecution case, as lodged by the police personnel
is that on secret information, that some miscreants who had stolen
cash and silver chain of Mahesh Mahto, some days back on gun
point, the police personnel apprehended the petitioner along with
three others and from possession of the petitioner one country
made loaded pistol with one live cartridge was recovered while



from the possession of co-accused Vijay Kumar, stolen silver chain was recovered and accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in this case. He submits that no overt act has been alleged to have been committed by the petitioner and no stolen article has been recovered from his possession and that one of the co-accused Manish Kumar, who was arrested along with the petitioner, has been granted privilege of regular bail in Cri. Misc. No. 24965 of 2017 on 01.07.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned F.T.C.- II, Sitamarhi, in connection with S.T. No. 387 of 2017 arising out of Bathnaha P.S. Case No. 84 of 2017 subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail



cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

sushma/-

U		T	
---	--	---	--

