

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58435 of 2017

Arising Out of PS.Case No. -311 Year- 2017 Thana -DANAPUR District- PATNA

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1. SHYAM SUNDER MAHTO @ MANGALA MAHTO @ SHYAM
SUNDAR, Son of Late Mahendra Mahto, resident of Mohalla- Jaipur
Dhanki, P.S.- Agamkuan, District- Patna, (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 406, 420, 504 and
506/34 of the Indian Penal Code.

The petitioner and two others had entered into a
written agreement on 26.11.2014 vide Annexure-2 with Mr.
Aditya Beragi and others to sell the referred land of the petitioner.
In the agreement, it is specifically stated that the pending or future
litigation in respect of the land proposed to be transferred shall be
liability of the purchaser. Thereafter, the beneficiary i.e. Mr.
Aditya Beragi entered into an agreement to sell with the informant
of this case. The informant paid consideration money to Mr.



Aditya Beragi and Aditya paid in the bank account of the wife of the petitioner or the petitioner.

Learned counsel for the informant opposed the prayer for bail.

Apparently, there is no case of dishonest intention of the petitioner at the time of entering into an agreement with Mr. Aditya Begari. Hence, the petitioner deserves bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Danapur Police Station Case No. 311 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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