

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27997 of 2017

Arising Out of PS.Case No. -54 Year- 2017 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

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Biltu Mahto, Son of Asharfi Mahto, resident of Village- Daulatpur Chandi,
P.S.- Hajipur Sadar, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate
Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
30.03.2017 in connection with Bhagwanpur P.S. Case No.
54 of 2017 registered for the offence punishable under
Sections 414 and 120B of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that on a secret tip-off that some persons are
going to sell stolen motorcycle, the petitioner along with two
others was apprehended and a motorcycle was recovered
from their possession.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and the motorcycle has not been recovered from his conscious possession and he was not involved in the alleged offence. It is further submitted that one of the co-accused has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 27909 of 2017 on 23.06.2017 on similar allegations. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 54 of 2017, subject to the condition that if, in future, petitioner is found to have indulged in similar nature of offence, the prosecution will be



at liberty to move before the learned Court below for
cancellation of his bail bonds.

(Nilu Agrawal, J.)

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