

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24724 of 2017

Arising Out of PS.Case No. -53 Year- 2015 Thana -MOKAMAH District- PATNA

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1. Dharmendra Mahto @ Dharmendra Kumar, S/o Late Mauji Mahto,
Resident of Village- Kanhaipur, P.S.- Mokama, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 24-07-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mokama P.S. Case NO. 53 of 2015, disclosing offences under Sections 25 (1-B)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner has submitted that for the same occurrence, dated 01.05.2015, Mokama P.S. Case No. 52 of 2015 has been registered for the offences punishable under Sections 147,148,449,447,307 of the Indian Penal Code and 27 of the Arms Act, for which the present cases., i.e., Mokama P.S. Case No. 53 of 2015 has been registered for the offence punishable under Sections 25 (1-B)a, 35 and 36 of the Arms Act.

Learned counsel appearing on behalf of the petitioner has submitted that his name has been surfaced on the basis



of the confessional statement of some co-accused made before the Police in course of investigation in Mokama P. S. Case No. 52 of 2015. He also submits that the petitioner has been allowed anticipatory bail by the Court below in said Mokama P.S. case No. 52 of 2015.

Considering the above submissions, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, Barh, Patna in Mokama P.S. Case No. 53 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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