

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18905 of 2017

Arising Out of PS.Case No. -285 Year- 2016 Thana -BRAHMPURA District- MUZAFFARPUR

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1. Surendra Mahto @ Muhchirwa, S/o Late Jamun Mahto, R/o Village-Sikanderpur Ambedkar Nagar, P.S.- Muzaffarpur Town, District-Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udit Nr. Singh

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-04-2017 Heard the parties.

The petitioner seeks regular bail in connection with B.P.No.500 of 2017 arising out of Brahampura P.S. Case No.285 of 2016, registered for offences punishable under Sections 461 and 379 of the Indian Penal Code.

The petitioner is not named in the F.I.R. and later on, his name transpired during the course of investigation.

It is submitted on behalf of the petitioner that he is in custody for more than four months but nothing has come during the course of investigation against him except suspicion. It is also submitted that though he is named in other cases also and in all those cases, his name has transpired on the basis of confessional statement and nothing has been recovered in all those cases. He is



on bail in all these cases.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that only due to suspicion, he has been arrested and remained in custody for about four months, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Muzaffarpur in connection with Brahampura P.S.Case No.285 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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