

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47481 of 2017

Arising Out of PS.Case No. -291 Year- 2014 Thana -NARPATGANJ District- ARRARIA

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Santosh Kumar Mehta @ Manto @ Chootkan Mahto, Son of Late Balram Mehta, Resident of Village- Sitapur, P.S.- Birpur, Dist- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 14.11.2016 in connection with Narpatganj P.S. Case No. 291 of 2014 for the alleged offences under Sections 394/302/120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated merely by reason of his criminal antecedents. The petitioner is not named in the FIR. His name has transpired on the confessional statement of co-accused Pappu @ Pawan Yadav and Umesh Paswan and except such confession there is no other material to connect the petitioner with the alleged occurrence. The said co-accused Umesh Paswan has been granted bail by this Court in Cr. Misc. No. 8528 of 2015. A statement is made at the Bar that the said Umesh Paswan also had criminal antecedents. No recovery of any incriminating articles has been made from the possession of the petitioner nor any T.I. parade has been conducted to identify him.



4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Araria in connection with Narpatganj P.S. Case No. 291 of 2014 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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