

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12224 of 2017

Arising Out of PS.Case No. -443 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

- =====
1. Ramnath Mahto, son of Chirkut Mahto, resident of village-Mathiya Bariyapur, P.S. Piprakothhi, District-East Champaran.
 2. Rambabu Mahto, son of Jadolal Mahto, resident of village-Madhu Chhapra, P.S. Piprakothhi, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-03-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners seek bail in connection with Saraiya P.S.
Case No.443 of 2016 registered under Sections 420, 379 and 511
of the Indian Penal Code.

The accusation is that on 30.12.2016, the informant was
standing in queue at Saraiya Branch of the State Bank of India to
withdraw the money, then one boy also came and stood behind
him in queue. That boy asked the informant that he has a bundle
of Rs.2,00,000/-, which he has to deposit, and asked him to keep
the same with him and in lieu thereof to give him Rs.20,000/-.
However, the informant did not became ready but he was called



by that boy outside of the Bank, where one person also came, who told the informant to give some money to that boy saying that he will distribute the money of bundle amongst them fifty-fifty. On this, when the informant did not became ready then both started to put their hands in the pocket of the informant on which the informant raised alarm and both persons were apprehended by the public, who were present there, and they disclosed their name as Rambabhu Mahto (petitioner no.2) and Ramnath Mahto (petitioner no.1) and both were handed over to the police.

Learned counsel appearing on behalf of the petitioners submits that due to dispute of payment of wages of the petitioners, the informant has managed to get implicated the petitioners in this case falsely. The petitioners having no criminal antecedents are in custody since 31.12.2016.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Muzaffarpur, in connection with Saraiya P.S. Case No.443 of 2016. Out of the two sureties, one must be close relative of each of the the petitioners, who will file an affidavit giving genealogy as to how he/she is



related with the petitioners. The bailors will undertake to furnish information to the court about any change in the address of the petitioners. Further, the petitioners shall attend the trial court on each and every date, fixed in the case, during the course of the trial. If the petitioners fail to attend the trial court, during the course of the trial, on two consecutive dates, without any reasonable cause being shown, the trial court would be at liberty to cancel the bail bonds of the petitioners.

(Rajendra Kumar Mishra, J)

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