

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22851 of 2018

Arising Out of PS. Case No.-132 Year-2015 Thana- SIKANDARA District- Jamui

Anandi Mahto, Son of Late Besar Mahto, resident of village - Kurhadih, P.S. -
Sikandra, District - Jamui.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Sri Madhuranand Jha

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 18-04-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail, which was earlier rejected vide order dated 04.05.2016 passed in Cr. Misc. 11399 of 2016, again the prayer of bail was dismissed as withdrawn by order dated 08.02.2017 passed in Cr. Misc. No. 52025 of 2016 and thereafter the prayer was rejected vide order dated 15.11.2017 passed in Cr. Misc. No. 50571 of 2017, on the ground that the petitioner is in custody since 06.11.2015, there is no specific allegation against the petitioner, the allegations are omnibus and general in nature, out of 12 charge sheeted witnesses 5 witnesses have already been examined but they have been declared hostile, there is no firearm injury. Similarly situated co-accused Bablu Mahto @ Bablu has been allowed bail by order dated 28.03.2018 passed in Cr. Misc. No. 9333 of 2018 by another



co-ordinate Bench of this Court vide Annexure-5 and further today itself the petitioners Sofendra Mahto and Naresh Mahto have also been allowed bail. The informant of this case is absconder in Sikandra P.S. Case No. 181 of 2015 under Section 302/34 of the I.P.C. and, as such, in near future there is no possibility for his examination.

The learned A.P.P. fairly submits that similarly situated co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge-II, Jamui, in connection with Sessions Trial No. 74 of 2016 (arising out of Sikandra P.S. Case No. 132 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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