

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36925 of 2018**

Arising Out of PS.Case No. -209 Year- 2017 Thana -KARJA District- MUZAFFARPUR

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Dinesh Mahto, Son of Shivaji Mahto, Resident of Village- Bodwara, P.S.  
Karja, Distt.- Muzaffarpur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      17-07-2018

Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 12.04.2018 in connection with Karja P.S. Case No.209 of 2017 registered for the offence under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the petitioner is not named in the F.I.R., but in the confessional statement made before the police by one Om Prakash Sharma, who was an accused in Karja P.S. Case No.11 of 2018, his name has surfaced, which has no evidentiary value. It is further submitted that so far as his antecedents are concerned, the petitioner has been named in three other cases merely on suspicion and on the confession of other co-accused, which has also got no evidentiary value.

In view of the aforementioned facts and



circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 2<sup>nd</sup>, West Muzaffarpur, in connection with Karja P.S. Case No.209 of 2017, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) 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.

**(Anjana Mishra, J)**

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