

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28711 of 2018

Arising Out of PS.Case No. -84 Year- 2018 Thana -TARAIYA District- SARAN

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Akhilesh Kumar Mahto, son of Chhotelal Mahto, resident of village-
Andhwari, Dumari, P.S.- Taraiya, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 28-06-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner, who is in custody since 30.03.2018,
seeks bail in connection with Taraiya P.S. Case No. 84/2018
registered for the offences punishable under sections 307, 353,
413, 414, 34 of the Indian Penal Code and 25 (1-b)/27 of the Arms
Act.

The informant of this case happens to be Police
Officer who received an information from SHO, Panapaur Police
Station that named accused of Panapur P.S. Case No. 57 of 2017
Sunil Kumar Mahto along with his associates had assembled at
village Durmari to commit crime and on this information, the
informant along with police party reached at the place of
occurrence, but on seeing them, the said Sunil Kumar Mahto



started indiscriminate firing and managed to escape from there. However the Police apprehended this petitioner and co-accused Santosh Singh and on their disclosure, two stolen motor cycles were recovered from the hut of this petitioner.

It has been submitted that the petitioner is a businessman and he mostly resides at Nagaland. In support of his contention, he filed passbook and railway ticket to show that he had recently returned his home for construction of house. The motor cycles allegedly recovered at the place of occurrence belong to different persons and they have filed an application for releasing the same. It is not alleged that the motor cycle is stolen article. The petitioner has clean antecedent.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- IX, Saran at Chapra in connection with Taraiya P.S. Case No. 84/2018, subject to the 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 cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

Mahesh/-

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