

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54573 of 2018

Arising Out of PS.Case No. -360 Year- 2018 Thana -PHULWARISHARIF District- PATNA

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1. Surendra Mahto S/o Late Dharikshan Mahto, @ Late Dharichan Mahto,
R/o Tamtam Parao, Phulwari Sharif, P.S.- Phulwari Sharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-10-2018 The petitioner is in custody since 20.06.2018 in connection with Phulwari Sharif P.S. Case No. 360 of 2018, registered for offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that informant has received information that his son has been shot dead by Shekhar Choudhary and informant went there and found his son in injured condition, who took him to hospital where he succumbed to his injury.

Submission of learned counsel for the petitioner is that the petitioner has falsely been implicated in this case only on the confessional statement of co-accused and except confessional statement there is absolutely nothing against the petitioner and he is in custody 20.06.2018.



Heard learned A.P.P. also, who opposed the prayer for bail of the petitioner on the ground that in confessional statement Shekhar Choudhary has stated that the present petitioner has provided arms to him and there was enmity between them.

Having heard both sides and considering the aforementioned facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-XV, Patna, in connection with Phulwari Sharif P.S. Case No. 360 of 2018, with 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 and on the event of failure on his part to appear before the court below on



two consecutive dates without showing
any genuine reasons, the prosecution is
free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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