

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22757 of 2018**

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

- 
1. Sofendra Mahto Son of Jwasar Mahto
  2. Naresh Mahto Son of Jwasar Mahto resident of Village - Kurahadih, P.S. - Sikandra, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

---

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

ORAL ORDER

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

The petitioners want to renew their prayer of bail, which was earlier rejected vide order dated 04.05.2016 passed in Cr. Misc. 11399 of 2016, on the ground that the petitioner is in custody since 06.11.2015, there is no eye-witness regarding the actual killing of the deceased, in the postmortem report there is no firearm injury. Similarly situated co-accused Bablu Mahto has already been allowed bail vide order dated 28.03.2018 passed in Cr. Misc. No. 9333 of 2018 vide Annexure-3 by another co-ordinate Bench of this Court, five prosecution witnesses have been examined and all have turned hostile, the informant is himself absconder in Sikandra P.S. Case No. 181 of



2015 and, as such, there is no likelihood of conclusion of trial.

The learned A.P.P. fairly submits that similarly situated co-accused Bablu Mahto @ Bablu has been allowed bail vide Annexure-3.

In the facts and circumstances stated above, the petitioners are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of the learned A.D.J.-IInd, Jamui, in connection with S.Tr. 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

