

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44149 of 2018

Arising Out of PS.Case No. -245 Year- 2017 Thana -BALIA District- BEGUSARAI

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Bablu Mahto, S/o Ramotar Mahto, R/o Mirzapur Hussania, P.S.- Ballia,
District- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-08-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 01.04.2018 in connection with Ballia P.S. Case No.245 of 2017 registered for the offence under Sections 447, 341, 342, 364, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the petitioner is named in the F.I.R., there is no cogent material available all through during the course of investigation to indicate the complicity of the present petitioner. It is further submitted that the petitioner belongs to a different village and has had nothing to do with the occurrence. Furthermore, there is no enmity between the present petitioner and the alleged victim.



Diary in the present case was called for, which has since been received.

Learned counsel for the State submits that the petitioner has been named in the F.I.R. and his complicity cannot be ruled out. However, he has not been able to indicate any particular witness who has named the petitioner to have participated in the occurrence.

Considering the aforementioned facts and circumstances and that there is no further cogent material in the case diary available as against the petitioner, 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 Chief Judicial Magistrate, Begusarai, in connection with Ballia P.S. Case No.245 of 2017, subject to the following conditions:

(1) One of the bailors will be the father of the petitioner.

(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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