

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56574 of 2018

Arising Out of PS. Case No.-22 Year-2007 Thana- RAXAUL RAIL P.S. District- West
Champaran

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Binod Mahto, S/o Misiri Mahto, Resident of Village- Panchtaki Ram, P.S.-
Bairganiya, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-09-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of regular bail in connection with Raxaul Rail P.S. Case No. 22 of 2007 registered for the offences punishable under Sections 328, 379, 506/34 of the Indian Penal Code.

The petitioner was granted bail by an order dated 20.09.2017 passed in Criminal Miscellaneous No. 45716 of 2017 by this Court and in the same, it was mentioned that the petitioner is having a clean antecedent, however, it appears that the trial court discovered that one another case is also pending against the petitioner herein bearing Raxaul Rail P.S. Case No. 03 of 2007 for the offences under Sections 328, 379 and 34 of



the Indian Penal Code. On the said ground of non disclosure of the criminal antecedent, the learned trial court has not released the petitioner on regular bail.

The learned counsel for the petitioner submits that the petitioner was not aware about the said case and now, he has come to know about the same after being remanded in Raxaul Rail P.S. Case No. 03 of 2007, pursuant to being apprehended in the present case. In such view of the matter, it is submitted by the learned counsel for the petitioner that the petitioner may be excused and the privilege of regular bail be extended to the petitioner herein.

I have heard the learned counsel for the petitioner and I find that the interest of justice would be served, if the petitioner is directed to deposit a sum of Rs. 1,000/- with the Patna High Court Legal Services Committee, Patna within a period of two weeks from today. In case, the petitioner deposits a sum of Rs. 1,000/- before the Patna High Court Legal Services Committee, Patna within the aforesaid time frame and produces the receipt thereof before the learned trial court, he would be granted bail on the terms and conditions as mentioned in the order dated 20.09.2017 passed earlier in Criminal Miscellaneous Case No. 45716 of 2017.



The present petition is disposed of on the aforesaid
terms.

(Mohit Kumar Shah, J)

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