

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27508 of 2018

Arising Out of PS. Case No.-3 Year-2018 Thana- MATIARIA District- West Champaran

Tunni Mahto, Son of Ram Briksh Mahto, Resident of Village-Dhanaur, P.S.
Katara, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Matiyaria
P.S. Case No. 03/2018 for offences punishable under Sections
414, 379, 427/34 of the Indian Penal Code and Sections 33, 41,
42 of the Indian Forest Act, 1927.

The prosecution case, as lodged by the police
officials, is that on secret information that a truck is carrying
wood illegally, a raid was conducted, the truck was seized, two
persons out of four persons managed to flee away and the
petitioner along with another co-accused was apprehended.
From the truck wood of different sizes was recovered and from
the possession of the petitioner one mobile and Rs. 440/- was
recovered. Accordingly, a seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and was just a driver who was entrusted to carry vegetables and has been falsely implicated. He submits that nothing has been recovered from his conscious possession, charge-sheet has already been submitted and he is languishing in judicial custody since 30.01.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, West Champaran at Bettiah, in connection with Matiyaria P.S. Case No. 03/2018, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

Rajesh/-

(Nilu Agrawal, J)

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