

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36991 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- DARBHANGA RAIL P.S. District-
Samastipur

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Din Dayal Mahto S/o Yogi Mahto Resident of Village - Parsauni Taiyab, P.O.
Parsauni, P.S. Shivhar, District Shivhar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Smt Renu Kumari (APP)

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

ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and

learned counsel representing the State.

The petitioner seeks bail in connection with
G.R.P./DBG/SMI P.S Case No. 23 of 2018 registered for the
offences punishable under Sections 370, 177/34 of the Indian
Penal Code and Section 79 of J.J. Act.

Allegedly, the petitioner and other FIR named
accused persons were caught carrying the minor children to
Mumbai for working as Labourer and the petitioner was also
carrying one minor child with him.

Submission is of false implication and that without
any fault the petitioner is suffering in custody since 10.03.2018,
as a matter of fact the child was going with the petitioner with
consent of his guardian to meet his relative. The offences as



alleged is not made out against the petitioner. Other co-accused have been allowed bail by learned Court below itself and, as such, the petitioner also deserves sympathetic consideration.

The learned APP submits that the petitioner was found carrying Baidhnath Pandit aged about 14 years.

In the fact and circumstances stated above, considering the custody of the petitioner and further he has got no criminal antecedent and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., Railway, Samastipur, in connection with G.R.P./DBG/SMI P.S. Case No. 23 of 2018, 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 petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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