

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67094 of 2018

Arising Out of PS. Case No.-12 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Ashok Mahto @ Mangal Mahto, Son of Bhuneshwar Mahto, Resident of
Village- Samsa, Ward No.3, P.S.- Naokothi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam
For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Naokothi P.S.Case no.12 of 2018 registered for offences punishable under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per FIR is that three other accused persons have taken away the brother of the informant and they fired on his brother causing his death. Name of the petitioner does not appear in the FIR and later on it appears that his name transpired in the re-statement of the informant.

Submission of the learned counsel for the petitioner is that though he is not named in the FIR and later on name of the petitioner has appeared only as conspirator . He is an assailant



and he is in custody for more than 5 ½ months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sri Raghubir Prasad, J.M. Ist Class, Begusarai in connection with Naokothi P.S.Case No.12 of 2018..

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.



With the aforesaid observation, this application is
allowed.

(Vinod Kumar Sinha, J)

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