

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3006 of 2019

Arising Out of PS. Case No.-82 Year-2017 Thana- BARURAJ District- Muzaffarpur

Shiv Balak Mahto s/o Late Raja Mahto Vill-Baruraj Karwala,P.S-
Baruraj,Distt.-Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-02-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in S.Tr. No. 406/2018,
arising out of Baruraj P.S. Case No. 82/2017, instituted for
offences under Section(s) 366A, 372/34 of the Indian Penal
Code.

Learned counsel for the petitioner has submitted that
charge has been framed in this case. Petitioner is in custody
since 13.03.2018.

Earlier prayer for bail of petitioner was rejected by
order dated 05.10.2018 passed in Cr. Misc. No. 35364/2018.

The counsel for petitioner has submitted that daughter
of informant had love affair with Shatrughan Mahto and they
had fled away to some unknown place.



Learned counsel for petitioner has submitted that in para 53 of case diary in the supervision note of the police this fact has come.

Learned Addl. P.P. after looking into supervision note has submitted that it has come in the supervision note that victim girl and Shatrughan Mahto had love affairs and they had fled away to some unknown place.

Report from the court below regarding present stage of trial has been received wherein it is mentioned that charge has been framed in this case on 15.09.2018. The case is pending for evidence.

From the report of the court below it appears that there is no chance of conclusion of trial within short period.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 11th Addl. Sessions Judge, Muzaffarpur, in connection with S.Tr. No. 406/2018, arising out of Baruraj P.S. Case No. 82/2017, subject to the conditions that

(I) both the bailors shall be the close relative of



the petitioner.

(II) Petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner and

(III) if petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

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