

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2575 of 2019

Arising Out of PS. Case No.-235 Year-2018 Thana- MADANPUR District- Aurangabad

Dwarika Mahto Late Cholo Mahto Resident of Village- Laiya, Tola- Dhodha
Tand, P.S.- Ghato, District- Ramgarh (Jharkhand).

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlendra Pd. Singh
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 22-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Madanpur P.S. Case No. 235 of 2018 registered for the
offence punishable under Section 25(1-b)a, 26 of the Arms Act.

Informant is the police officer, who in his self
statement has stated that he received a secret information that
notorious criminal Dwarika Mahto (petitioner) has arrived at
Khiriyawan More in order to commit some crime alongwith his
associates. On such information he alongwith other police
personnel reached there but seeing the police personnel accused
persons started fleeing and thereafter he was caught hold, who
disclosed his name Dwarika Mahto (petitioner). On search one
country made pistol and 2 live cartridges have been recovered
and one Samsung mobile was also recovered from his



possession.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after six months of custody the petitioner would be enlarged on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Madanpur P.S. Case No. 235 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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