

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4204 of 2019

Arising Out of PS. Case No.-385 Year-2018 Thana- GARKHA District- Saran

Ajay Mahto son of Kameshwar Mahto Resident of Village- Madarpur, P.S.-
Bheldi, District - Saran at Chapra

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 8.9.2018 in a case registered for the offences punishable under Sections 399 and 402 of the I.P.C. and Sections 25(1-B) a, 26 and 35 of the Arms Act.

The prosecution case as per the self-statement of Gauri Shankar Baitha, SHO, Garkha Police Station dated 7.9.2018 is to the effect that on secret information that the accused persons are preparing to commit dacoity, raid was laid. Five accused persons managed to escape but two persons were apprehended who disclosed their name as Sonu Kumar and the petitioner Ajay Mahto. From the petitioner only knife was recovered.

It is submitted by learned counsel for the petitioner that the petitioner is not having any criminal antecedent. Statement



to that effect has been made in paragraph 3 of the petition.

Learned APP submits that the petitioner along with other co-accused was preparing for commit dacoity.

Considering the accusation being omnibus and general and the fact that only knife has been recovered from the possession of the petitioner, coupled with the period in custody, 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 ACJM-IV, Saran at Chapra in connection with Garkha P.S. Case No.385 of 2018.

(Dinesh Kumar Singh, J)

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