

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10990 of 2019

Arising Out of PS. Case No.-926 Year-2017 Thana- KHAJANCHI HAT District- Purnia

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ABHAY NARAYAN MAHTO @ABHEY NARAYAN MAHTO@SANJAY
MAHTO Son of Late Ram Sharan Mahto R/o village- Dhamdaha (North) ,
P.S- Dhamdaha, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Adv.
For the Opposite Party/s : Mr.Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

21 25-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
06.10.2018 in a case registered for the offence punishable
under Sections 224, 225, 353 and 34 of the Indian Penal Code.

The prosecution case as per the complaint filed by
G.R. clerk of the Court of CJM, Purnea to the Station House
Officer, K.Hat P.S. to the effect that the petitioner along with
three others were produced in connection with Dhamdaha P.S.
Case No. 270 of 2017 registered for the offences punishable
under Sections 420, 467, 468, 471 and 506/34 before the Court
of learned CJM, Purnea, as all accused persons were claiming
the land on the basis of a forged sale deed but their bail



applications were cancelled by the learned CJM. It is alleged that after cancellation of bail application, the petitioner managed to escape from the judicial custody.

It is submitted by learned counsel for the petitioner that the petitioner was under misconception that he has been granted bail and therefore he went away from there. It is further submitted that similarly situated co-accused Nirbhay Kumar Mahto has been granted bail by a coordinate Bench of this Court vide order dated 16.01.2019 passed in Cr. Misc. No. 2183 of 2019. It is further submitted that the petitioner is accused in one other case.

Learned APP for the State submits that petitioner escaped from the judicial custody.

Considering the fact that the investigation has already been concluded and similarly situated co-accused has been granted bail, let the above named petitioner 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 learned CJM, Purnea in connection with K.Hat P.S. Case No. 926 of 2017.

Since the petitioner having criminal antecedent, learned Court below will be at liberty to cancel the bail bonds of



the petitioner, if he defaults for two consecutive occasions or
gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

Ashwini/devendra

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