

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11689 of 2019

Arising Out of PS. Case No.-144 Year-2018 Thana- DAUDNAGAR District- Aurangabad

JAYLAL MAHTO Son of late Gariba Mahto Resident of Village - Amarpura
P.S. Naubatpur District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-04-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 399, 402, 414 of the Indian Penal Code and Section 25(1-B)a, 26/35 of the Arms Act and Section 4/5 of the Explosive Substance Act.

Informant who is a police officer in his written report has alleged that he received secret information that some miscreants have assembled to commit loot and when he raided the place on seeing the police personnel miscreants assembled there tried to flee away, however, four miscreants were



apprehended after chase and from their possession, arms and ammunitions were recovered.

It has been submitted on behalf of the petitioner that petitioner has been implicated in this case on the basis of confessional statement of co-accused Raushan Kumar @ Laddu. He was not apprehended at the spot and nothing has been recovered from his possession. Petitioner has been remanded in this case from Haspura P.S. Case No. 79 of 2018. Petitioner is in custody since 14.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Daudnagar P.S. Case No. 144 of 2018**, with following conditions:-

(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 shall remain physically present as



directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(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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