

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14043 of 2019

Arising Out of PS. Case No.-237 Year-2018 Thana- MASAUDHI District- Patna

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Jailal Mahto, aged about 38 years (M), Son of late Gariba Mahto, Resident of village - Amarpura P.S. Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate

For the Opposite Party/s : Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 05.06.2018 in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case is that the informant's Rs.14,000/- and mobile phone were robbed while travelling in a bus by three motorcycle borne miscreants, leading to registration of FIR against unknown.

It is submitted by learned counsel for the petitioner that there is no recovery from the conscious physical possession of the petitioner and the petitioner has not been put on T.I. Parade. It is further submitted that the investigation has already been concluded and similarly situated co-accused Ajay Paswan



has been granted bail by a Co-ordinate Bench of this Court vide order dated 13738 of 2019. Though, the petitioner is accused in two other cases but he is on bail in those cases.

Learned APP submits that the petitioner has made confession before the police and he has criminal antecedent.

Considering the fact that the investigation has already been concluded, the petitioner has not been put on T.I. Parade and there is no recovery from the conscious physical possession of the petitioner, 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 Judicial Magistrate, Ist Class, Masaurhi, District - Patna in connection with Masaurhi P.S. Case No. 237 of 2018.

Since the petitioner is having criminal antecedent, the learned Court below will be at liberty to cancel the bail bonds of the petitioner in two eventualities; if the petitioner defaults for two consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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