

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75830 of 2018

Arising Out of PS. Case No.-145 Year-2002 Thana- SURYAGARHA District- Lakhisarai *

1. Rajeev Kumar @ Rajeev Mahto Son of Dashrath Mahto
2. Lutan Mahto @ Newton Mahto @ Kundan Mahto Son of Dashrath Mahto
Both Resident of Village-Amarpur,P.S. Medani Chowki,Distt.-Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bharat Lal

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 14-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 302 IPC and Section 27 of the Arms Act registered in connection with Suryagarha P.S. Case No. 145 of 2002 (Sessions Case No. 535 of 2003).

3. It is submitted that the petitioners have been summoned in course of trial in terms of Section 319 Cr. P.C. on the application filed by the prosecution about one and half decades after the institution of the FIR in the year 2002. It is submitted that during investigation, the petitioners were not made accused and no case had been found against them. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned Fast Track Court II, Lakhisarai, in connection with Suryagarha P.S. Case No. 145 of 2002 (Sessions Case No. 535 of 2003) subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

i. That one of the bailors shall be a close relative of the petitioners.

ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.

iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

iv. The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

U		T	
---	--	---	--

