

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74030 of 2019

Arising Out of PS. Case No.-436 Year-2019 Thana- MADHAURAH District- Saran

ASHISH BYAHUT Son of Shushil Byahut Resident of Village-Shiv Bazar
P.S.-Bhagwan Bazar, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in **Marhowrah P. S. Case No. 436 of 2019** instituted for the offence under Section 395 of the Indian Penal Code.

It is submitted by the petitioner's counsel that he has been implicated in the instant case of *loot* only on the basis of confessional statement of co-accused Hira Kumar. The petitioner has not been named in the First Information report. There is no recovery from petitioner. It is also submitted that he has been remanded in the instant case on 04.09.2019. Petitioner has disclosed pendency of two other cases against him since before, namely, Bhagwan Bazar P.S. Case No. 348 of 2018 and Bheldi P.S. Case No. 174 of 2019. It is further submitted by the



petitioner's counsel that in those two cases also, he is on bail.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid, 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 **Chief Judicial Magistrate Saran at Chapra**, in connection with **Marhowrah P. S. Case No. 436 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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