

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 2258 of 2020

Arising Out of PS. Case No.-252 Year-2019 Thana- MOKAMAH District- Patna

1. SANJIT MAHTO S/o Shiv Mahto Resident of Village- Mor (English), P.S.- Mokama, Distt- Patna.
2. Ranjit Mahto S/o Shiv Mahto Resident of Village- Mor (English), P.S.- Mokama, Distt- Patna.
3. Sanjay Mahto S/o Shiv Mahto Resident of Village- Mor (English), P.S.- Mokama, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Sen Prasad Singh
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in Mokama Police Station (for brevity, *PS*) Case No 252 of 2019 dated 29.10.2019 instituted for the offence punishable under Section (s) 149, 341, 302 of Indian Penal Code.

As per prosecution case, son of the informant has been beaten to death by certain villagers as he, along with his associates, was apprehended while fleeing away after committing robbery. Petitioners' counsel submits that even as per prosecution case, the informant is not an eye witness. However, names of the petitioners and other eight persons have



been mentioned along with details of father's name etc. The same is an indicator of false implication of the petitioners. Petitioners have clean antecedent and they are in custody since 29.10.2019.

Considering the aforesaid, let the petitioners, above named, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IV, Barh (District – Patna) in connection with Mokama PS Case No 252 of 2019 subject to the following conditions:-

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

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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