

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2346 of 2020

Arising Out of PS. Case No.-293 Year-2019 Thana- SURYAGARHA District- Lakhisarai

Tuntun Kumar Mahto, Son of Sakhichandra Mahto @ Sakhichand Mahto,
Resident of Village - Ratnupur, P.S.- Surajgarha, Dist.- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Surajgarha P.S. Case No. 293 of 2019 registered for the offences punishable under Sections 380/411 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner and the informant are the co-villagers. The allegation against the petitioner is that he had indulged in committing theft in the house of the informant and was caught by the co-villagers. It is also alleged that on search from the pocket of the petitioner one pair of silver Payal was recovered. It is submitted that the petitioner has been falsely implicated in this case because of the village rivalry and at this stage he has remained



in custody for more than five months, the investigation against him is complete and if the petitioner released on bail it is not likely to interfere with the course of trial and there is no chance of tampering with the evidence.

Learned A.P.P. for the State has though opposed the prayer for regular bail but considering the facts and circumstances of the case, the material present and that the petitioner has remained in custody for more than five months and at this stage there is no submission that his release from jail is likely to interfere with the course of trial and there is no chance of tampering with the evidence.

Let the petitioner above named be released on bail in connection with Surajgarha P.S. Case No. 293 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

vats/-

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