

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85397 of 2019

Arising Out of PS. Case No.-20 Year-2015 Thana- KISHANGAANJ RAIL P.S. District-
Katihar

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Devendra Mahto, aged about 50 years, Male Son of Late Sube Lal Mahto,
Resident of Village - Korai Badiya Tola, P.S.- Gadhpora, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1, Adv.

For the Opposite Party/s : Mr.Dr. Indihar Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 07-01-2020 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 328, 379
of the Indian Penal Code.

Informant has alleged that while he had boarded
train, two persons traveled as co-passenger and served cold
drink and as he took said drink he become unconscious and
regain his conscious in Sitamarhi and his all belongings were
taken away by the miscreants.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case merely on the basis of suspicion.
Nothing was recovered from his possession nor any T.I.P. was



conducted for his identification. Charges has already been framed against petitioner and he is in custody since 01.06.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, katihar, in connection with S. T. No.166 of 2019 arising out of Kishanganj Rail P.S. Case No. 20 of 2015, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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