

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2220 of 2020

Arising Out of PS. Case No.-15 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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BHULA @ BHULLA @ NIRAJ KUMAR @ NIRAJ MAHTO Son of Bam
Bam Mahato @ Ram Pravesh Mahto, Resident of Village- Samsa, P.S.-
Nawkothe, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar

For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 16-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 307, 504, 506
of the Indian Penal Code and Section 27 of the Arms Act.

Informant who is an elected Mukhiya has alleged in
her written complaint that on 22.02.2018 at about 3:00 p.m.,
when she was sitting at her door along with other female
members, five FIR named accused including petitioner came
there variously armed with deadly weapons and co-accused,
Bambam Mahto @ Ram Pravesh Mahto instigated other
accused to kill her, however, she fled away into her house and
escaped the firing made by co-accused persons and on hearing
the sound of firing, villagers assembled and accused fled away.



It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to political rivalry. The wife of Bambam Mahto @ Ram Pravesh Mahto was also a candidate in Panchayat election but she lost to the informant. Petitioner is in custody since 08.07.2019.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Nawkothi P.S. Case No. 15/2018, with following 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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