

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12602 of 2021

Arising Out of PS. Case No.-117 Year-2018 Thana- KURSAILA District- Katihar

BIJAY MAHTO @ VIJAY MAHTO S/o- Late Nepali Mahto Resident of
Village- Gobarahi, P.S.- Kursela, Distt- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 29-09-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 302/34 of the I.P.C. and
Section 27 of the Arms Act.

Petitioner is the main assailant.

In the past, prayer for bail was refused on 05.03.2020
vide order at Annexure-1. Petitioner is in custody since
21.12.2018.

The report of the trial Judge reveals that though
charges were framed on 27.01.2020, however, no prosecution
witness has turned up as yet.

Considering period already undergone by the
petitioner and undertaking of the petitioner to fully cooperate



with the trial, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Sessions Trial No. 183 of 2019 arising out of Kursela P.S. Case No. 117 of 2018, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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