

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13452 of 2021**

Arising Out of PS. Case No.-295 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

RAMAYAN KUMAR MAHTO @ RAMAYAN MAHTO, Son of Lal Babu Mahto, Resident of village- Parasauni Jahangir, Police Station - Sahebganj, District -Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey, Adv.
For the Opposite Party/s : Mr.Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 08-07-2021 Heard learned counsel for the petitioner and learned APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Sections 414/34 of the Indian Penal Code and 25 (1-b)a/26/35 of the Arms Act.

Allegation is said to have recovered a loaded made pistol, a live cartridge, one motorcycle and a Sumsung mobile from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that from perusal of the FIR, it transpired that one loaded country made Katta and a live cartridge, one motorcycle and a mobile phone have been



recovered from the possession of the petitioner. The petitioner is languishing in judicial custody since 10.06.2020. The petitioner has got 07 criminal antecedents which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Sahebganj P.S. Case No. 295/2020 to the satisfaction of learned Court below where the case is pending; subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate



proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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