

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16439 of 2021

Arising Out of PS. Case No.-121 Year-2011 Thana- NAUTAN District- West Champaran

=====

AJAY MAHTO @ AJAY KUMAR Son of Kishun Mahto @ Ram Kishun Mahto Resident of Village- Pipara, P.S.- Valmikinagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv

For the Opposite Party/s : Ms. Pushpa Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 27-09-2021 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Nautan (Jagdishpur) P.S. Case No. 121 of 2011 registered under Sections 341, 342, 323, 406, 420, 467, 468 and 382 of the Indian Penal Code.

The instant petitioner and other accused have allegedly deposited the amount, based on which the informant has been granted ownership of the truck. It is this truck which



allegedly has been taken away by the petitioner along with co-accused and there is allegation that some cash has been snatched and signature has been obtained on blank paper.

It is submitted by counsel for the petitioner that from the FIR itself, it is apparent that there is a predominant money dispute between the parties. Implication in the instant case is therefore based on extraneous considerations. The petitioner is stated to be in custody since 20.9.2020. There is a submission that he has no criminal antecedent and similarly situated co-accused persons Bablu Khan and Ahmad Khan have been granted anticipatory bail long back in Cr. Misc. No. 16093 of 2012.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bettiah, District- West Champaran in Nautan (Jagdishpur) P.S. Case No. 121 of 2011, subject to the



following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SUMIT/-

U		T	
---	--	---	--

