

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28719 of 2021

Arising Out of PS. Case No.-395 Year-2018 Thana- RAMPUR District- Gaya

RAM NARESH MAHTO @ RAM NARESH MAHTON Son of Late
Kuldeep Mahton Resident of Village- Kanda, P.S.- Kaira, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Kumari
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 379 of the Indian Penal
Code.

As per the prosecution case, the Scorpio vehicle of the
informant was stolen by some unknown persons.

Learned counsel appearing for the petitioner submits
that petitioner is not named in the FIR. The name of petitioner
has come during the course of investigation in the confessional
statement of co-accused and the other material that has come
against the petitioner during the course of investigation is that
CDR of mobile of the petitioner was obtained and location of
the mobile of the petitioner was found near the place of
occurrence on the date of occurrence. Petitioner is in custody



since 15.09.2020 and charge sheet has already been submitted.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Gaya Rampur PS case No. 395/2018 on the following conditions:-

(1) 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 on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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