

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29152 of 2020**

Arising Out of PS. Case No.-338 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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LAGO @ LAGWA @ NAGO @ NAGINA MAHTO S/o- Vimal Mahto
Resident of Nagdah, P.S.- Muffasil, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Vinod Gautam, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

8 15-03-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Ajay
Kumar Jha, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Begusarai Mufassil (Singhaul) P.S. Case No.

338 of 2019 registered for the offence under Sections 385, 387,

506 of the Indian Penal Code and Section 27 of Arms Act.

Learned counsel for the petitioner submits that as per

the prosecution story the informant on 06.09.2019 received a

call from Mobile no. 7360836106 demanding ransom and the

caller introduced himself as the petitioner and also gave



reference of his previous crime. Again on 19.06.2019 the informant was threatened saying that the money is not paid. It is further alleged that on 29.06.2019 in the night 2-3 shots were fired at his house. The informant came to know that the firings were resorted to by the petitioner.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is co-villager of the informant having civil dispute between them. Learned counsel submits that the petitioner is in custody since 19.11.2019 and the investigation against him is complete. The petitioner is an accused in four cases in which he is on bail.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court has noticed that in the first information report the allegations are against unknown, however, in course of investigation the name of this petitioner has transpired as the person who was using the mobile number from which a call was made to the informant, however, the report submitted by Police does not indicate that any voice recording has been provided to the I. O., the petitioner is on bail in the four cases pending



against him and further that he has remained in jail in connection with the present case since 19.11.2019, investigation against him is complete and the trial is not likely to be concluded very soon as the case is still pending for supply of police papers, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Mufassil (Singhaul) P.S. Case No. 338 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that in course of trial the



petitioner shall appear on each and every date fixed in the matter and two consecutive failures in putting appearance shall invite action towards cancellation of bail of the petitioner by the court below itself.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

