

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30801 of 2020

Arising Out of PS. Case No.-24 Year-2019 Thana- BALIYA District- Begusarai

SURENDRA MAHTO @ SULO MAHTO S/o Late Viro Mahto R/o Village-
Kishunpur, P.S.-Ballia, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate.

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

4 20-01-2021 Heard the parties.

The petitioner is languishing in custody for the offence punishable under Sections 120B of the Indian Penal Code and Sections 25(1-AA)/25(1-B)a, 26 and 35 of the Arms Act.

Petitioner is in custody since 24.01.2019. Earlier prayer for bail was refused on 06.02.2020 vide order at Annexure-1.

A police rifle and 12 cartridges were allegedly recovered from the possession of the petitioner. On disclosure of this petitioner, a country made pistol was recovered from the house of co-accused Bipin Thakur. Petitioner had stated to the police that Bipin Thakur had supplied the rifle to the petitioner.



The report of the trial Judge reveals that charges have already been framed, however no prosecution witness has been examined uptill now.

Considering the period already undergone by the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (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 Balia P.S. Case No. 24 of 2019, 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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