

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1129 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- BISHWAMBHARPUR District-
Gopalganj

-
1. RAKESH KUMAR MAHTO Son of Late Kanhai Mahto @ Late kanhaiya Mahto
 2. Rajaram Mahto Son of Vishwa Karma Mahto
Both resident of Village - Vinod Matihaniya, P.S.- Vishambharpur,
(Bishambharpur), Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-03-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody since 07.08.2020 in connection with Vishambharpur (Bishambharpur) P.S. Case No. 98/2020 registered for the offences punishable under Sections 379 of the Indian Penal Code.

F.I.R. is lodged against unknown for theft of motorcycle of the informant. During the course of investigation, these petitioners along with co-accused Sonu Pandey was arrested with stolen motorcycle.



It is submitted on behalf of the petitioners that no incriminating article has been recovered from the possession and the petitioners and they have been falsely implicated in this case on the basis of suspicion. Petitioners have got no criminal antecedent and they are in custody since 07.08.2020. Chargesheet has already been submitted in this case

Considering the aforesaid facts and circumstances, the bail petition of the petitioners is allowed. Let the petitioners above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate, X, Gopalganj, in connection with Vishambharpur (Bishambharpur) P.S. Case No. 98/2020, subject to following conditions:-

(1) Petitioners 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 on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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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