

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7356 of 2021**

Arising Out of PS. Case No.-347 Year-2019 Thana- BALIYA District- Begusarai

Ramsakal Mahto S/o Babu Ram Mahto, R/o village Khadiyahi, P.S-  
Bibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      28-06-2021                      In view of sudden resurgence of COVID–19 infection  
  
there is limited functioning of the High Court and therefore the  
  
matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the  
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 Balia P.S. Case No. 347 of  
2019 registered for offence punishable under section 395 of the  
Indian Penal Code.

The allegation is that 7-8 unknown persons have  
accosted the informant’s vehicle and they have snatched his



Mobile, Aadhar Card, Driving Licence, Rs. 2000/- and load of fertilizers.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. His implication is based on confessional statement of co-accused Suman Kumar and on the basis of allegation that his mobile was found in the locality at the time of occurrence. Learned counsel for the petitioner further submits that Suman Kumar, who has named the petitioner, has been allowed bail in Cr. Misc. No. 21519 of 2020. Other co-accused has also been allowed bail in Cr. Misc. No. 510 of 2021. The petitioner happens to be in custody since 25.02.2020 and has no criminal antecedent. Only after his implication in this case he has been also named in Teghra P.S. Case No. 366 of 2019.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, 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 Chief Judicial Magistrate, Begusarai in Balia P.S. Case No. 347 of 2019, subject to the following conditions:-



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit 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)**

Mahesh/-

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