

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11211 of 2022

Arising Out of PS. Case No.-713 Year-2020 Thana- AHYAPUR District- Muzaffarpur

SUNIL MAHTO S/o Rajendra Mahto R/o village- Sahbajpur, P.S.- Ahiyapur,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjana

For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 713 of 2020, for the offence punishable
under Sections 412 and 414 of the Indian Penal Code and
Section 20 and 22 of the N.D.P.S. Act.

As per allegation made in the F.I.R. one kilogram
Ganga and cash of Rs.14,000/- was recovered from the house of
the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that nothing has been
recovered from the conscious possession of the petitioner,



rather, the amount of Rs.14,000/- belongs to the petitioner out of his personal earning. He further submits that similarly situated co-accused Chintu Kumar @ Jhamoo has already been released on bail by a co-ordinate Bench of this Court vide order dated 13.08.2021 passed in Criminal Miscellaneous No. 16945 of 2021. The petitioner is in custody since 27.11.2020.

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

Considering the aforementioned facts and circumstances of the case, the name of the petitioner disclosed by the apprehended person and he is in custody since 27.11.2020 and other similarly situated co-accused have already been enlarged on bail, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II, Muzaffarpur in connection with Ahiyapur P.S. Case No. 713 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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