

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50780 of 2021

Arising Out of PS. Case No.-179 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

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RAMESH MAHTO S/o Rajendra Mahto R/o Village- Shripur, Ward No.3,
P.S.- Cheriabariyarpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Cheria

Bariarpur P.S.Case No.179 of 2020 (G.R.No.264/2020)

registered for the offence under Section 392 of the I.P.C.

The prosecution case, in short, is that on 09.09.2020.

informant Abhiranjan Kumar was returning his matrimonial

house Sakarbasa with his brother-in-law Binod Kumar by

Splander Plus Motorcycle bearing No. BR 09V-7556. At about

7.00 P.M. at Laura Pool three miscreants wrapping faces age



group of 25-30 years snatched his motorcycle and mobiles bearing No.7491019628 and 8310571914 on pistol point. Informant claimed to identify them on seeing them.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner surfaced in this case on the confessional statement of co-accused, namely, Chandan Mahto. He further submits that nothing has been recovered from the possession of the petitioner. Petitioner is in custody since 13.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Manjhaul, Begusarai in connection with Cheria Bariarpur P.S.Case No.179 of 2020 (G.R.No.264/2020) with the following conditions:-

(1) Petitioner 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 and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

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.

(Rajesh Kumar Verma, J)

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