

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.50267 of 2022**

Arising Out of PS. Case No.-351 Year-2021 Thana- RAFIGANJ District- Aurangabad

Ranjit Mahto S/o Raj Kumar Mahto R/o village- Choubda Badgaon, P.S.-
Rafiganj, District- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bachan Ji Ojha, Advocate

For the Opposite Party : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 23-12-2022 Learned counsel for the petitioner submits that hard copy of the petition has already been filed after removing all the defects.

Office to check it.

If any defect remains, the same will be removed by learned counsel for the petitioner by 16th January, 2023.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Rafiganj P.S. Case No. 351 of 2021 registered for the offences punishable under Sections 341, 467, 420, 120(B), 504, 506, 323 of the Indian Penal Code. He is in custody since 19.07.2022. The petitioner has got no criminal antecedent.



Learned counsel for the petitioner submits that the informant alleged that Ranjit Mahto, who is his elder son, filed an application for dakhil kharij in the year 2016-17 which was accepted in the name of Ranjit Mahto.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is in custody in connection with this case since 19.07.2022 having no criminal antecedent.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the informant happens to be the father of the petitioner and the allegations are over transfer of a piece of land which took place about 4 years prior to lodging of the FIR, the petitioner has otherwise no criminal antecedent, he has remained in custody since 19.07.2022 and at this stage there is no submission on behalf of the State that his result is likely to result in tampering with evidence or interfering with the course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees



Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 351 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

The application stands allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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