

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49525 of 2022

Arising Out of PS. Case No.-132 Year-2022 Thana- BAKHARI District- Begusarai

RANJEET MAHTO SON OF LATE TEJ NARAYAN MAHTO R/O
VILLAGE- RATAN, WARD NO.-7, P.S.- BAKHRI, DISTRICT-
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 366A/34 of the Indian
Penal Code.

According to prosecution case, there is allegation
against the petitioner that he brought the daughter of the
informant from Bagras chowk to Ambedkar chowk, Bakhri by
his own e-rickshaw and handed over to the co-accused namely,
Shrawan Mahto, who enticed the victim and taken away to
Ludhiyana.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that from bare perusal of the F.I.R., the allegation against the petitioner is that he carried the victim on his own e-rickshaw and brought the victim from Bagras chowk to Ambedkar chowk, Bakhri by his own e-rickshaw and handed over to the co-accused namely, Shrawan Mahto. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and in fact the petitioner is the driver of e-rickshaw and he has no concern at all with the present occurrence and he carried the victim as a passenger. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 02.05.2022.

The learned Additional Public Prosecutor for the State on the other hand on the basis of the material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the petitioner has actively participated in the present occurrence. He further submits that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail, after framing of charge, on furnishing bail bond of Rs. 10,000/- (Ten Thousand)



with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bakhri P.S. Case No. 132/2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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