

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11892 of 2024

Arising Out of PS. Case No.-181 Year-2016 Thana- KHAIRA District- Saran

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Baliram Mahto @ Balram Mahto @ Baliram Kumar @ Balram Kumar Son of
Marai Mahto Resident of Village- Maksuspur, P.S.- Khaira, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Khaira P.S Case No. 181 of 2016 registered for the
offences punishable under Sections 342, 323, 302/34 of
the I.P.C.

3. As per prosecution case, allegation against
petitioner and other co-accused is of committing murder
of younger brother of informant by strangulation due to
political rivalry.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case. It



is next submitted that in similar condition one of the co-accused already granted bail by the Co-ordinate Bench of this Court *vide* order dated 20.09.2017 passed in Cr. Misc. No. 41968 of 2017. It is further submitted that petitioner has got no criminal antecedent as stated in para 3 of the petition. It is also submitted that petitioner is in judicial custody since 21.09.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner 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 Additional Chief Judicial Magistrate-X, Saran at Chapra in connection with / Khaira P.S Case No. 181 of 2016, subject to following conditions:

(I) Bailors should be local having sufficient



immovable property within the jurisdiction of the court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every dated fixed by the court and his absence on two consecutive dates without proper and sufficient reasons the trial court will be at liberty to cancel his bail bond.

(iii) 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.

(Ramesh Chand Malviya, J)

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