

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57198 of 2024

Arising Out of PS. Case No.-23 Year-2022 Thana- BARAUNI District- Begusarai

Jogi Mahto @ Chhotu @ Mamu S/o Raj Kumar Mahto R/o Village- Simariya
Ghat Labli Bind Toli PS Barauni Chakia District Begusarai Bihar. Under
Guardianship of Mother namely Supni Devi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranvijay Singh, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 21-01-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Barauni (Chakiya) P.S. Case No. 23 of 2022 for the offences punishable under Sections 392/397 of the IPC, lodged on 08.01.2022 by the informant.

3. As per the prosecution story, the informant alleged that he runs a shop where three criminals with loaded pistols came and forcibly took away Rs. 1 Lakh as also mobile. Accordingly, the FIR/arrest.

4. It is the case of the petitioner that his name has come in the confessional statement, has remained in custody for almost three years (9.03.2022 para-12 of the petition). Only because he has criminal antecedents and earlier he failed to remove the defects which led to dismissal of his bail petition.



5. Learned APP opposes the prayer submitting that he has criminal antecedent and his name has come in the confessional statement.

6. Though there is allegation against the petitioner and his name has come in the confessional statement and there also recovery of loaded country made pistol and some amount from his possession, the fact remains that at the time of the occurrence, he was only 17 years of age, has remained in custody since 09.03.2022 and an undertaking has been given that he shall be diligently appearing in the trial, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai/ the court concerned in connection with aforesaid P.S. Case subject to the following conditions:

(i) Both of the bailors should be the family members of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till completion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

perwez

U		T	
---	--	---	--

