

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38767 of 2014

Arising Out of PS.Case No. -158 Year- 2013 Thana -BARHARA District- BHOJPUR

Ram Govind Mahto

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s : Mr. Sunil Kumar Pandey (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-10-2014

Heard learned counsel for the petitioner and the State.

Petitioner seeks bail in connection with Barahara P.S.Case No.158 of 2013 for the offence punishable under Sections 341,323,324,504 and 302/34 of the IPC.

Allegedly co-accused Jag Mohan Mahto and the petitioner caught hold the husband of the informant and co-accused Suresh Mahto gave *Fasuli* blow on his neck which proved fatal.

Submission at the bar for release of the petitioner is that similarly situated co-accused Jag Mohan Mahto has been allowed bail by another Bench of this Court vide Cr.Misc.No. 42719 of 2013 and further co-accused Suresh Mahto who is the assailant has also been allowed bail vide Cr.Misc.No.51462 of 2013 as the FIR has been lodged after much delay to which the learned APP is

not in a position to distinguish the case.

In the facts and circumstances as stated above, the petitioner, namely, Ram Govind Mahto is directed to be released on bail on execution of bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Adhoc A.D.J. Arrah, Bhojpur in connection with Sessions Trial No.163 of 2014 arising out of Barahara P.S.Case No.158 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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