

ITEM NO.3

COURT NO.5

SECTION IIA

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CRLMP. NOS. 15494-15495/2014 & 15497-15498/2014 in Criminal Appeal  
No(s). 513-514/2014

BALESHWAR MAHTO & ANR

Appellant(s)

VERSUS

STATE OF BIHAR

Respondent(s)

(For bail and exemption from filing O.T. and office report)

Date : 13/10/2014 These applications were called on for hearing  
today.

CORAM : HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI  
HON'BLE MR. JUSTICE N.V. RAMANA

For Appellant(s) Mr. Nagendra Rai, Sr. Adv.  
Mr. Neeraj Shekhar, Adv.

For Respondent(s) Mr. Jawahar Narang, Adv.  
Mr. Atul Kumar, Adv.

Mr. Sudhir Vats, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The applicants were tried in Sessions Case No.170 of 1984 by learned Additional District Judge-II, Nalanda at Bihar Sharif, Bihar. Applicant No.1, Baleshwar Mahto, is convicted for offences punishable under Section 307 of the Indian Penal Code and Section 27 of the Arms Act and sentenced to undergo rigorous imprisonment for seven years. Applicant No.2, Khelawan Yadav, has been convicted under Section 302 of the Indian Penal Code and has been sentenced to life imprisonment. Both the applicants have prayed for bail.

So far as applicant no.1, Baleshwar Mahto, is concerned, he is aged about 78 years old. We are informed that he was on bail during the trial. After conviction, he is in jail for about one year. In the peculiar facts and circumstances of the case and considering his advanced age and the fact that he has been

convicted only under Section 307 of the Indian Penal Code and Section 27 of the Arms Act, we deem it proper to release him on bail during the pendency of the present appeal. Hence, we order that the applicant, Baleshwar Mahto, be released on bail in the sum of Rs.25,000/- (Rupees twenty five thousand only) with one or two sureties to make up the amount. Any other condition may be imposed by the concerned court, if necessary.

So far as second applicants is concerned, learned counsel for the applicant says that he is not pressing his application for bail at this stage.

CRL.M.P. Nos. 15494-15495 of 2014 in Criminal Appeal Nos.513-514 of 2014 are disposed of.

(Gulshan Kumar Arora)  
Court Master

(Indu Pokhriyal)  
Court Master