

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49197 of 2014

Arising out of P.S. Case No. -103 Year- 2012 Thana -
BHAIRABASHTHAN District- MADHUBANI

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Lakshman Mahto @ Laxman Mahto Son of Ashok Kumar Mahto
Resident of Village - Kasma Marar, P.S.- Khajauli, District -
Madhubani. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Adv.
For the Opposite Party/s: Mr. Md. Arif (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 04.03.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offences under Section 304 of the Indian Penal Code.

Considering that the Petitioner is in custody since
06.12.2012 on account of his name having been disclosed in
the confessional statement of the co-accused and his son
undertakes his responsibility, let the Petitioner, above named
be released on bail on furnishing bail bond of Rs. 5,000/- (Five
Thousand) with two sureties of the like amount each or any
other surety as fixed by the Court to the satisfaction of
Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani
in connection with Bhairabasthan P.S. Case No. 103 of 2012
(G.R. No. 1608 of 2012) subject to the following conditions:- (i)
That one of the bailors will be a close relative of the Petitioner
who will give an affidavit giving genealogy as to how he is
related with the Petitioner and the other bailor shall be the son
of the Petitioner namely Ashok Kumar Mahto. The bailor will
also undertake to inform the Court if there is any change in the
address of the Petitioner. (ii) That the bailor shall also state on

affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iii) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (iv) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

In view of the antecedents of the Petitioner, the Petitioner is directed to appear before the Superintendent of Police, Madhubani within fifteen days of his release with a copy of this order and every two weeks thereafter for the next six months. The conduct of the Petitioner will be kept under watch in this period by the superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the Petitioner before the court concerned.

Vikash/-

(Anjana Prakash, J.)

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