

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21870 of 2015

Arising Out of PS.Case No. -424 Year- 2014 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Ram Vinay Mahto Son of Kamal Mahto Resident of Village- Sirkhindi,
Police Station- Sugauli, district East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Murlidhar (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 09-07-2015

Heard the Counsel for the petitioner and Mr. Dayal,

APP for the State.

The informant is the father-in-law of the victim. He is not an eye witness. He has lodged Sugauli P.S. Case No. 424 of 2014 that while his daughter-in-law was away from home for cutting grass, the petitioner assaulted her causing simple injury and also snatched her gold chain and nose pin. It was done with bad intention.

Contention of the petitioner is that earlier to this, father-in-law has lodged another case vide Sugauli P.S. Case No. 04/2014 alleging that the petitioner had abducted/kidnapped her daughter-in-law. The daughter-in-law in that case appeared and made statement completely exonerating the petitioner. Considering the same, final form was submitted and he was not

sent up. Again, the present case has been lodged. Except the present one, there is no other criminal case pending against him who is a law abiding citizen and also an elected Ward Member.

Taking into account the aforesaid, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in Sugauli P.S. Case No. 424 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(iii) During the currency of the case, if the petitioner is found involved in any other criminal case not lodged by the

present prosecution side, the same shall be construed as breach of the condition of bail entailing cancellation of bail bonds.

Pankaj/-

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(Kishore Kumar Mandal, J)