

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 45165 of 2012**

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Ganga Mahto S/o Late Bifan Mahto Resident of Mohalla-  
Chhoti Pahari, Zakariapur, P.S.- Agamkuan, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar & Anr.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amit Kumar, Adv.

For the Opposite Party/s: Mr. Iftekhhar Mahmood (APP)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**  
ORAL ORDER

**03. 22.01.2015**

Heard learned counsel for the Petitioner and the  
State.

The Petitioner is apprehending his arrest in a case  
registered under Sections 323, 406, 420, 120B and  
504/34 of the Indian Penal Code.

Considering that the Petitioner had not executed  
the Sale-deeds in question and he has fair antecedents, let  
him be released on anticipatory bail in the event of arrest  
or surrender before the learned Court below within a period  
of four weeks from the date of receipt of the order 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 Chief Judicial  
Magistrate, Patna in connection with Patrakar Nagar P.S.  
Case No. 85 of 2012 subject to the conditions as laid down  
under Section 438(2) of the Code of Criminal Procedure as  
also 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. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is he shall not be released on bail. (iii) 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. (iv) 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. (v) 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.

Vikash/-

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**(Anjana Prakash, J.)**