

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6712 of 2016

Arising Out of PS.Case No. -24 Year- 2015 Thana -BELCHHI District- PATNA

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Dilip Mahto, S/o Ishwar Mahto, resident of Village- Korari, P.S.- Belchhi,
District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 11-04-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 302 read with Section 34 of the Indian
Penal Code registered in connection with Belchhi P.S. Case no.
24 of 2015.

3. It is submitted that the petitioner has been falsely
implicated as no specific allegation is attributed to the present
petitioner nor there is any eye-witness to the occurrence. It is
further submitted that similarly situated co-accused, namely,
Umesh Mahto and Kushu Ram @ Kaushlendra Kumar have been
granted anticipatory bail by a Bench of this Court in Cr. Misc.
No. 54867 of 2015 and Cr. Misc. No. 4975 of 2016, respectively.

4. Having regard to the entirety of the facts and

circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Barh, District Patna in connection with Belchhi P.S. Case No. 24 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:-

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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