

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39339 of 2017

Arising Out of PS.Case No. -90 Year- 2017 Thana -DHURAIYA District- BANKA

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Kundan Mahto @ Kundan Mahton, s/o Rajendra Mahton @ Rajendra
Mahto, r/o vill- Uchchdiha, PS- Dhoraiya, Dist- Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Balram Kapri

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-08-2017

Heard learned counsel for the petitioner and Sri

Ganesh Pd. Singh, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Dhoraiya PS case no. 90 of 2017 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307,
337, 338, 332, 333, 358, 188, 295(A), 427, 504 & 506 of Indian
Penal Code.

The case of the prosecution is that the accused
persons including the petitioner herein had obstructed in carrying
out the official duty by the government officials and when
government officials were trying to maintain peace on the
occasion of Sabe Barat, the accused persons had arrived at the
place of occurrence and created nuisance as well as had abused the
police party.



Learned counsel for the petitioner submits that the petitioner has clean antecedent. He further submits that there is general and omnibus allegation against the petitioner and there is no specific allegation with regard to any overt act or abusing of the police officials as well as he has already been suitably punished, by him being in custody since 28.07.2017.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner abovenamed be released on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Dhoraiya PS case no. 90 of 2017 subject to following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induct any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the Court and on the event



of failure on his part to appear before the Court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bonds.

(Mohit Kumar Shah, J.)

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