

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16646 of 2017

Arising Out of PS.Case No. -383 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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1. Raju Mahto @ Rupesh Kumar Mahto S/o Shivji Mahto, Resident of
Village- Karinga, P.S.- Musehari, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-04-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Chhapra Mufassil P.S.Case No.383 of 2016 registered for offences punishable under Sections 323, 324, 341, 504, 307, 354, 379/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is allegation against him that he assaulted twice on the informant by 'Garasa' but he has not received injury as he was bearing so much clothes. It is further submitted that prior to lodging of this case, wife of the petitioner had filed a case against the petitioner and others and just after two days, the present case has been lodged, as so far the allegation of assault is concerned, in spite of assault twice, he has not received injury, shows falsity of the prosecution case.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Saran at Chhapra in connection with Chhapra Mufassil P.S.Case No.383 of 2016 dated 28.10.2016. subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With 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 induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the trial of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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