

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56649 of 2018

Arising Out of PS.Case No. -80 Year- 2018 Thana -MASHRAK District- SARAN

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Chandeshwar Mahto @ Chandrashekhar Mahto Son of Late Mishri Lal Mahto, resident of Village- Banjara Dih Tola, P.S. Masrakh, District Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Ms. Sanjana, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302/34 of the Indian Penal Code registered in connection with Masrakh P.S. Case No. 80 of 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with killing of the informant's son. The accusation of assault is general and omnibus in nature and there is specific accusation against co-accused Dhananjay Mahto who is said to have stabbed the victim in stomach and thigh. The petitioner claim clean antecedents.

4. Be that as it may, 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 bond of



Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIth , Saran at Chapra in connection with Masrakh P.S. Case No. 80 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, 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.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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