

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43470 of 2018

Arising Out of PS.Case No. -88 Year- 2018 Thana -MANIHARI District- MUZAFFARPUR

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1. Mahesh Mahto, S/o Late Hari Lal Mahto, R/o Village- Dawrika Nagar,
P.S.- Mushahri, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Maniyari P.S.

Case No. 88/2018, instituted for the offences punishable under

Sections 399, 402, 414, 120(B) of the Indian Penal Code read with

Sections 25(1-b)a, 25(ii) and 35 of the Arms Act.

Learned counsel for the petitioner has submitted that

the petitioner was not apprehended on the spot. Two persons were

apprehended who disclosed their name as Santosh Singh and

Keshav Kumar @ Jayant @ Punnu. They disclosed the name of

this petitioner along with other before the police. From the written

report itself, it appears that there is no recovery of any

incriminating article from possession of this petitioner.



Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Maniyari P.S. Case No. 88/2018, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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