

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43621 of 2018

Arising Out of PS.Case No. -2232 Year- 2015 Thana -COMPLAINT CASE District- ARRARIA

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1. Mahesh Nath Das S/o Late Shri Abhay Nath Das, R/o Kharaiya Basti,
P.S.- Araria, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Gulab Chand Mandal S/o Late Shri Failu Mandal, R/o Vill.-
Parmandandpur, P.S.- Raniganj, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-09-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.2232-C of 2015 , registered for offences punishable under Sections 147, 148, 149, 420, 467, 468, 120B, 379, 504 of the Indian Penal Code.

Allegation against the petitioner as per the complaint petition is that in the year,1988 the sale-deed was executed by the co-accused with the complainant and the petitioner was *Katib* and further allegation is that when he went to cultivate the land the accused persons including the petitioner came there and assaulted the complainant.

Submission of the learned counsel for the petitioner is that



the allegation against the petitioner is general and omnibus and nothing specific has been attributed against him.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, 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 from the date of order 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 the learned CJM, Araria in connection with Complaint Case No.2232-C of 2015 subject to condition 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 investigation 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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