

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21993 of 2019

Arising Out of PS. Case No.-572 Year-2016 Thana- LAKHISARAI District- Lakhisarai

Shivdani Mahto, aged about 32 years, Gender-Male, S/O Late Jagdish Mahto
Resident Of Village- Damodarpur, P.S.- Lakhisarai, District- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Pd. Singh, Sr. Advocate Mr. Bhaskar Shankar, Advocate
For the Opposite Party	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-04-2019 Heard learned senior counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302, 147, 148, 149, 323, 325, 307, 504, 379 and 354 of the Indian Penal Code registered in connection with Lakhisarai P.S. Case No. 572 of 2016.

3. It is submitted that the petitioner has been falsely implicated and in any event, after investigation, the police has submitted charge sheet against some of the accused persons but the petitioner along with Om Prakash Mahto and Chandan Mahto have not been sent up for trial. The said accused persons namely, Om Prakash Mahto and Chandan Mahto @ Chandan Kumar have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 15.03.2019 passed in Cr. Misc. No. 16462 of 2019. The petitioner claims clean antecedents.

4. Be that as it may, 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 Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 572 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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) That 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.

(iv) That 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.

BT/-

(Vikash Jain, J)

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