

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24251 of 2019**

Arising Out of PS. Case No.-138 Year-2017 Thana- KHODAWANDPUR
District- Begusarai

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RATAN KUMAR @ RATAN MAHTO @ MAHTO, aged about 40 years, male,
S/o Jagdeesh Mahto R/o village- Malpur Gachhi, P.S.- Kodanpur (Chodahi
O.P.), District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shama Sinha, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 19-07-2019 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 Khodabundpur (Chagodi O.P.) P.S.
Case No. 138 of 2017.

3. It is submitted that the petitioner has been falsely
implicated and the accusations are general and omnibus in
nature against the accused persons. It is submitted that as a
matter of fact the deceased died due to illness. After due
investigation, police submitted final form in respect of the
petitioner and he was not sent up for trial but cognizance was
taken, differing from the same. Similarly situated co-accused
Ashok Kumar @ Ashok Mahton and Raushan Kumar @ Raushan
Mahton have been granted anticipatory bail by this Court in Cr.
Misc. No. 2491 of 2018. 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 Additional Chief Judicial Magistrate, Manjhaul, Begusarai in connection with Khodabundpur (Chagodi O.P.) P.S. Case No. 138 of 2017, 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) 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.

(Vikash Jain, J)

Ibrar/BT

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