

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22771 of 2019**

Arising Out of PS. Case No.-108 Year-2018 Thana- BARH District- Patna
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RAM LAL MAHTO, aged about 61 years, male, Son of Monu Mahto,
Resident of Village-Nadawan,P.S-Barh, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Arun, Advocate.
For the Informant : Mr. Ashok Kumar Kashyap, Advocate.
For the State : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 10-04-2019 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 Barh P.S. Case No. 108 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and the accusations are general and omnibus in
nature and without any specific assault attributed individually.
There is no eye witness to the occurrence. The parties are
agnates and there is land dispute between them. The petitioner
claims clean antecedents.

4. Learned APP assisted by learned counsel for the
informant appearing *suo motu* who oppose the bail petition. It is
submitted on behalf of the informant that out of five accused
persons the two ladies have been granted anticipatory bail while
the other two male members have been granted regular bail by
this Court in Cr. Misc. No. 68808 of 2018.

5. 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, Barh, Patna in connection with Barh P.S. Case No. 108 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) 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.

(iv) 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)

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