

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79630 of 2018

Arising Out of PS. Case No.-152 Year-2018 Thana- ISUAPUR District- Saran

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Teras Mahto, Son of Faujdar Mahto, Resident of Village- Bela, P.S. Isuapaur,
Distt- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Sri Bharat Lal (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 25-02-2019 Heard learned counsel for petitioner, learned counsel
for the informant and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Isuapur P.S. Case No. 152 of 2018 registered for the offences punishable under Sections 147, 341, 323, 342, 379, 307, 504, 302 of the Indian Penal Code.

Informant has alleged that on 05.10.2018 while informant with his cousin was on way to Isuapur Bazar by his motorcycle, petitioner along with co-accused Arjun Mahto assaulted his cousin as a result of which he became unconscious and fell down then they snatched mobile of the informant and both were brought to hospital for treatment by villagers, where his cousin brother Mantosh succumbed to his injuries.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been



falsely implicated in this case. Specific allegation of causing Farsa blow on head of deceased is against Arjun Mahto. There is no sharp cut injury. Injuries are lacerated caused by hard and blunt substance. Petitioner has no criminal antecedent and is in custody since 06.10.2018.

Bail petition has been opposed by the counsel for the informant and State.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saran, Chapra, in connection with Isuapur P.S. Case No. 152 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.



(3) If the petitioner tampers 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.

(S. Kumar, J)

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