

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24169 of 2019

Arising Out of PS. Case No.-391 Year-2018 Thana- MANJHAGARH District- Gopalganj

ASHOK MAHTO Son of Harendra Mahto Resident of Village - Puraina, P.S.-
Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Sager Sharma

For the Opposite Party/s : Mr.Rajendra Prasad Nat,APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 306 IPC registered in connection with Manjhagarh P.S. Case No. 391 of 2018.

3. It is submitted that the petitioner has been falsely implicated and as a matter of fact the petitioner is living away from his home for earning livelihood at Punjab for the past one year. No complaint of ill-treating the deceased was made in the past ten years since the petitioner was married to her. It is further submitted that even on the accusation in the FIR the ingredients of the offence alleged under Section 306 IPC are not made out. 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 CJM, Gopalganj, in connection with Manjhagarh P.S. Case No. 391 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 co-operate 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. 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.

Chandran/-

(Vikash Jain, J)

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