

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26811 of 2019**

Arising Out of PS. Case No.-919 Year-2018 Thana- BETTIAH CITY District-
West Champaran

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CHANDESHWAR MAHTO @ CHANDESHWAR MUKHIYA, aged about 21
years, male, Son of Rama Mahto Resident of Village - Rani Pakdi, P.S.-
Muffasil, Distt - West Champaran at Bettiah.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Vibhakar Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 379 and 511 of the Indian Penal Code
registered in connection with Bettiah(T) P.S. Case No. 919 of
2018.

3. It is submitted that the petitioner has been falsely
implicated merely on the extra judicial confessional statement of
co-accused Mantu Kumar, except which there is no other
objective material to connect the petitioner with the alleged
occurrence. The recovery of the subject motorcycle was made
from the spot itself. 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, West Champaran, Bettiah in connection with Bettiah (T) P.S. Case No. 919 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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