

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31324 of 2019**

Arising Out of PS. Case No.-238 Year-2017 Thana- BISFI District-
Madhubani

- =====
1. LALIT PRASAD MAHTO @ LALIT PRASAD @ LALIT KUMAR PRASAD, aged about 42 years, male, S/o Ganeshi Mahto R/o village- Dhepura, Dhai Tol, P.S.- Bisfi (Ounsi), District- Madhubani
 2. Shiv Shankar Sah, aged about 40 years, male, S/o Aman Lal Sah R/o village- Dhepura, Dhai Tol, P.S.- Bisfi (Ounsi), District- Madhubani

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Manish Kumar No 13, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 307, 353, 427, 504/34 of the Indian Penal Code registered in connection with Bisfi P.S. Case No. 238 of 2017.

3. It is submitted that the petitioners have been falsely implicated and in any event the thrust of accusation is against co-accused Shambhu Prasad Sahu. The accusations against the petitioners are general and omnibus in nature and no overt act of assault has been attributed to them. It is submitted that there is nothing to indicate that any injuries has been caused to anyone. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named



petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipatti, District- Madhubani in connection with Bisfi P.S. Case No. 238 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 petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves 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 petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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