

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40864 of 2019

Arising Out of PS. Case No.-46 Year-2018 Thana- MAHILA PS District- Jehanabad

SHANKAR MAHTO @ SHANKAR PRASAD Son of Late Lakhan Mahto
Resident of Village - Mai, P.S. - Kako, Dist.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Adv.
For the Opposite Party/s : Mr.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 05-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 354(B)/506 of the Indian Penal Code registered in connection with Jehanabad Mahila P.S. Case No. 46/2018.

3. It is submitted that the petitioner has been falsely implicated in retaliation of the earlier Mahila P.S. Case No.33 of 2018 lodged under Section 376 IPC by the petitioner's daughter against the informant's Debar. Further, complaint case No.563/18 was filed by the petitioner's wife against the informant and others. The present FIR has been lodged after considerable delay on 03.09.2018 for the alleged occurrence of 26.08.2018. Petitioner claims clean antecedent.

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, Jehanabad in connection with Jehanabad Mahila P.S. Case No. 46/2018, 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.)

Prakash Narayan /-

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