

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38390 of 2019**

Arising Out of PS. Case No.-8 Year-2016 Thana- SIKANDRA District- Jamui
=====

YASWANT MAHATO @ YASWANT KUMAR MAHATO, male, aged about 39
years, S/o Mundev Mahto R/o village- Khardih, P.S.- Sikandra, District-
Jamui (Bihar)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mrs. Madhuri Kumari, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 376, 354, 323 and 324 of the Indian Penal
Code registered in connection with Sikandra P.S. Case No. 08 of
2016.

3. It is submitted that the petitioner has been falsely
implicated merely because he happens to be the brother-in-law
of the complainant/informant and the accusations are highly
improbable in nature. After due investigation police submitted
chargesheet only on the bailable sections but differing from the
same cognizance has been taken under non-bailable sections.
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 Judicial Magistrate 1st Class, Jamui in connection with Sikandra P.S. Case No. 08 of 2016, 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 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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