

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41790 of 2019**

Arising Out of PS. Case No.-83 Year-2018 Thana- ARIYARI District-
Sheikhpura

=====

GOPI MAHTO, male, aged about 38 years, Son of Hira Mahto Resident of
Village - Navi Nagar Kakrar, P.S.- Ariyari, Dist.- Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dr. Anjani Pd. Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341. 323. 324. 379, 307, 504, 506/34 of
the Indian Penal Code registered in connection with Ariyari P.S.
Case No. 83 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of retaliation to the earlier F.I.R.
bearing Ariyari P.S. Case No. 123 of 2015 lodged by the
petitioner's side. The specific accusation of assault is against
other co-accused and such accusation against the petitioner is
general and omnibus in nature. There is no material on record to
indicate any injury caused to him. 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 Sub-Divisional Judicial Magistrate, Sheikhpura in connection with Ariyari P.S. Case No. 83 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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