

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38554 of 2019**

Arising Out of PS. Case No.-25 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

MANGARU MAHATO @ JHAGRU MAHATO @ MANGAL MAHATO @
MANGRU MAHA S/O Late Manshi Mahato Resident of village- Basaha,
P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh

For the Opposite Party/s : Mr.Pancha Nand Pandit

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

2 01-07-2019 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, 307, 379/34 IPC registered in connection with Baikunthpur P.S. Case No. 25/2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute. The accusation of having dealt 5-6 knife blows to the informant is not supported by injury report as evident from the order of the learned Sessions Judge. The accusation under Section 379 IPC is mere embellishment. The petitioner claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or surrender within four weeks hereof let the above named petitioner be released on provisional anticipatory bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned J.M.Ist Class, Gopalganj in connection with Baikunthpur P.S. Case No.



25/2019 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 co-operate 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) 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.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no grievous injury resulting from knife-blow has been sustained to the informant. In case the petitioner's claim fails on verification, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

Chandran/-

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