

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41851 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- ALOULI District- Khagaria

Sanjay Kumar Mahton @ Sanjay Mahto, aged about 25 years (Male), Son of
Birendra Mahton @ Virendra Singh Resident of Village - Raun, P.S.- Alauli,
District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Binod Kumar, Advocate
For the State	:	APP
For the Informant	:	Mr. Ram Sumiran Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 341, 323, 354(B), 307 and 379 of the Indian Penal Code registered in connection with Alauli P.S. Case No. 17 of 2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. There is delay of seven days in instituting the FIR on 19.01.2019 for the alleged occurrence of 12.01.2019. It is submitted that informant's side has not sustained any injury rather the petitioner's side has sustained firearm injuries.

4. Learned APP assisted by learned counsel for the informant appearing suo motu opposes the bail petition inviting reference to paragraph 3 of the petition enumerating as many as eight cases in which the petitioner had been made accused.

5. 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, Khagaria in connection with Alauli P.S. Case No. 17 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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.

(iv) 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.

(Vikash Jain, J)

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