

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65142 of 2018

Arising Out of PS. Case No.-707 Year-2015 Thana- PHULWARISHARIF
District- Patna

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Ramjivan Mahto @ Ramjee Mahto Son of late Hari Narayan Mahto R/o -
Phulwari Sharif, P.S. Phulwari Sharif, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ghanshyam Tiwary,

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 09-01-2019

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, 302, 341, 323 of the Indian Penal Code registered in connection with Phulwari Sharif P.S. Case No. 707 of 2015.

3. It is submitted that the petitioner has been falsely implicated and even on a bare reading of the F.I.R., there is no allegation of any assault against the petitioner rather he is only said to be an order giver. The petitioner is on bail in respect of the only other case of different nature in which he is made accused.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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-Judge-XV, Patna in connection with Phulwari Sharif P.S. Case No. 707 of 2015, 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) 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) 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.

Ibrar/

(Vikash Jain, J)

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