

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49099 of 2019**

Arising Out of PS. Case No.-74 Year-2019 Thana- KADWA District- Katihar
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RAM CHANDRA MAHTO Son of Raghuni Mahto Resident of Village -
Gopinagar, P.S.- Kadwa, Dist.- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Harish Chandra Patel, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-08-2019 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, 307, 354(B), 504, 506/34 of the Indian Penal Code registered in connection with Kadwa P.S. Case No. 74 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute. The accusations of assault are general and omnibus in nature without any specific assault attributed to him. Injuries resulting from the assault alleged against the petitioner are simple in nature. The accusations under Section 354(B) IPC are mere embellishment. 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 Chief Judicial Magistrate, Katihar in



connection with Kadwa P.S. Case No. 74 of 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 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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