

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52178 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- SHYAMPUR BHATHA District- Sheohar

Bindeshwar Mahto, Son of Late Pundev Mahto, Resident of Village- Lalgarh
Tole Par, P.S.- Sheympur Bhatahan, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman
For the Opposite Party/s : Mrs.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Sheyampur Bhatahan P.S. Case No.36 of 2019 (G.R. No.337 of 2019) registered for the offence punishable under Sections 147, 148, 149, 307, 323, 411 and 504 of the Indian Penal Code. Later on Section 302 of the Indian Penal Code was also added.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and he has been falsely implicated in this case due to past enmity and village dirty politics. Learned counsel submits that there is no specific allegation against the petitioner and the allegations are vague and omnibus.

Learned APP has opposed the prayer for bail.



Considering the facts and circumstances of the case wherein no specific allegation has been made against the petitioner of causing assault and after going through the case diary learned APP for the State submits that except the statement recorded in the Fardbeyan there is no other material attributing any specific overt act to the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sheohar, District-Sheohar in connection with Sheyampur Bhatahan P.S. Case No.36 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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