

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52779 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- SALAIYA District- Aurangabad

SANTOSH MAHTO Son of Jitendra Mahto Resident of Village - Beri, P.S.-
Salaiya, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Salaiya P.S. Case No. 41 of 2019, disclosing offences under Sections 341, 323, 324, 326 and 307 of the Indian Penal Code.

There is allegation in the FIR that when the informant's son was attempting to mitigate a fire in a bush, he was thrashed by the petitioner, leading to injuries, including the burn injuries.

Learned counsel for the petitioner has submitted that no offence under Section 307 of the IPC can be said to be made out, on the basis of what has been alleged in the FIR.

Considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his



arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned CJM, Aurangabad in connection with Salaiya P.S. Case No. 41 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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