

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No 68883 of 2019**

Arising Out of PS. Case No.-133 Year-2019 Thana- DERNI BAZAR District- Saran

=====

DIWAKAR MAHTO Son of Late Baldev Mahto R/O Village- Rasulpur  
Khirikia, P.S.- Darni, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Nawal Kishore Singh

For the Opposite Party/s : Mr.Rajendra Singh Shastry (App)

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**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**2      04-12-2019**                      Heard learned counsel for the petitioner and the  
learned APP for the State.

Petitioner seeks bail in a case registered under  
Sections 366A/34 of Indian Penal Code.

Learned counsel for the petitioner submits that even  
as per allegations made in the first information report, it is son  
of the petitioner who has eloped with daughter of the informant.  
It is only on basis of suspicion that the petitioner has been  
implicated in this case. The petitioner is not having any  
criminal antecedent prior to the instant case and is in custody  
since 03.08.2019.

Learned APP for the State has opposed the prayer.

Considering the rival submissions, this Court is



inclined to accept the submission of the petitioner's counsel.

Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate XII, Saran at Chapra in Derni Police Station Case No 133 of 2019 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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