

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3165 of 2020**

Arising Out of PS. Case No.-440 Year-2019 Thana- BAHERA District- Darbhanga

Ram Prakash Mahto Son of Ram Karan Mahto Resident of Village-
Lakshmanpur, Kothbanna, P.S.- Bahera, District- Darbhanga. ... Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection with Bahera P.S. Case No.440 of 2019 registered for the offence under Sections 448, 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

As per allegation, the petitioner assaulted the wife of the informant with lathi, danda and took away a golden chain from the neck of the wife of the informant.

Learned Counsel for the petitioner submits that due to land dispute, petitioner has falsely been implicated in this case. There is case and counter case between the parties. It is further contended that Doctor has found only one injury.

Learned APP and learned counsel for informant oppose the prayer for bail.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event his arrest/surrender



within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Benipur in connection with Bahera P.S. Case No.440 of 2019 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J)

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