

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27463 of 2020

Arising Out of PS. Case No.-19 Year-2020 Thana- LAUKARIA District- West Champaran

Shankar Guru @ Shankar Mahato, Son of Sahdeo Mahato @ Sahade Mahato,
R/O Sakhuanwa, P.S.- Valmikinagar, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-10-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Mr. Anant Kumar, learned APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with



Laukariya P.S. Case No.19 of 2020 registered for the offence punishable under Sections 10 and 13(a)(b) of the U.A.P. Act.

The allegation in the F.I.R. is that in order to establish superiority and supremacy in the area, 12 persons have been pasting posters of Maoist ideology in the village.

Learned counsel for the petitioner submits that no one has seen or claimed to have seen the petitioner pasting any of the posters. The allegation is merely on suspicion and the petitioner has falsely been implicated in this case. The petitioner is in custody since 22.03.2020 and on bail in earlier case lodged against him i.e., Bagaha (Patkhauli) P.S. Case No.464 of 2018.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.1st, Bettiah, West Champaran, in connection with Laukariya P.S. Case No.19



of 2020, subject to the following conditions:

(i) 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.

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

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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