

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69798 of 2019

Arising Out of PS. Case No.-122 Year-2019 Thana- CHERIYA BARIYARPUR District-
Begusarai

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LAL BABU MAHTO S/o Mahendra Mahto R/o village- Gopalpur, P.S.-
Cheriya Bariyarpur, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular
bail in connection with Cheriya Bariyarpur P.S. Case No.
122/2019 registered under Sections 452, 354(B), 354(D), 341
of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has not committed any offence as the F.I.R. has been
lodged with delay of two days and the only allegation is that this
petitioner had tried to make bad relationship with the informant
but there is no allegation of committing the overt act. Learned
counsel submits that the petitioner has remained in custody
since 23.08.2019 and the investigation against him is complete.

Learned A.P.P. for the State has opposed the prayer for



bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the whole allegation against the petitioner is false as the F.I.R. has been lodged with delay of two days and the only allegation is that this petitioner had tried to make bad relationship with the informant but there is no allegation of committing the overt act and further that the enmity between the parties are there being co-villagers and that the petitioner has remained in custody since 23.08.2019, the investigation against him is complete, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Manjhaul, Begusarai, in connection with Cheriya Bariyarpur P.S. Case No. 122/2019, 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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