

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86215 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- LAURIA District- West Champaran

KAILASH MAHTO @ KAILASH BHAGAT Son of Late Ragho Bhagat
Resident of Village- Manguraha, P.S.- Lauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv
For the Opposite Party/s : Mr.Arun Kumar Pandey (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 28-05-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

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

Petitioner, who is in custody, seeks bail in a case registered for the offence punishable under Sections 341, 323, 307 of the Indian Penal Code and Section 27 of Arms Act.

Informant has stated that while he was at his house his father (petitioner) came there with country made pistol and fired upon him, resulting informant sustained injury in thigh of his right leg.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It



has been further submitted that petitioner is the father of informant and no motive has been assigned in the FIR for commission of the offence. Nothing incriminating has been recovered from the possession of the petitioner. One firearm injury has been found which is stated to be simple in nature. Petitioner is in custody since 11.10.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Lauriya P.S. Case No. 167 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will



be at liberty to cancel his bail bond.

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

(S. Kumar, J)

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