

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15344 of 2021

Arising Out of PS. Case No.-137 Year-2020 Thana- LAKHNAUR District- Madhubani

SHANKAR MAHTO Son of Late Lakshman Mahto Resident of Village -
Pipraghat, P.S.- Lakhnaur (R.S.O.P), District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Shubham

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-07-2021 This matter is taken up for consideration through Video
Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case registered for
the offence punishable under sections 341, 323, 307, 376 and 511 of
the Indian Penal Code.

As per prosecution case, alleged date and time of
occurrence, wife of informant had gone to attend call of nature, this
petitioner is alleged to have attempted to commit rape upon her and
after being unsuccessful, he assaulted the wife of the informant. Later
on, he was caught by the villagers and handed over to the police.

It is submitted on behalf of the petitioner that
petitioner has been falsely implicated in this case and as a
matter of fact, when this petitioner objected wife of the informant
not to use the field for toilet and for this reason, some
altercation took place between them and thereafter this



false case has been lodged against this petitioner. Petitioner has got clean antecedent and is in jail custody since 16.06.2020. Investigation is complete.

Learned counsel for the State opposes the prayer for bail.

Considering the period of custody and clean antecedent, this bail application is allowed. Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate, Jhanjharpur, Madhubani in Lakhnaur (R.S.O.P.) P.S. Case no. 137/2020 on the following conditions.

(1) Petitioner shall co-operate 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers 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)

s.hassan/-

U			
---	--	--	--

