

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15508 of 2021**

Arising Out of PS. Case No.-340 Year-2020 Thana- SITAMARHI District- Sitamarhi

SANTOSH MAHTO S/O NIRAS MAHATO R/O VILLAGE-KUMHRA
VISHNUPUR (VISHUNPUR), P.S-DUMRA, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 23-11-2021

Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks after complete start of the physical Court.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 332, 333, 353, 269 and 271/34 of the Indian Penal Code.

Since the petitioner and others were not wearing mask on 07.07.2020 at the hospital premise, the police has lodged the FIR. Petitioner has got no criminal antecedent.

Considering the nature of allegation, in my view, this is not a fit case wherein the petitioner should be compelled to go to jail, hence, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be



released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Sitamarhi Police Station Case No. 340 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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