

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33440 of 2021

Arising Out of PS. Case No.-198 Year-2019 Thana- DERNI BAZAR District- Saran

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BIRENDRA MAHTO S/o- RAM EKBAL MAHTO @ RAMAEKABAL
MAHATO Resident of Village- Sutihar, 56 Feet Nandtola, P.S.- Derni,
District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 341, 323, 324, 307, 34 of
the Indian Penal Code.

As per the prosecution case, after having tea the
petitioner was not ready to give money for the same and on the
informant asking for his money, he was assaulted with a Daab
causing serious injuries on his head.

Learned counsel appearing for the petitioner submits
that FIR has been lodged after 27 days of the occurrence and
minor scuffle has been given in look of a very serious nature.
Petitioner claims clean antecedent and is in custody since
30.01.2021 and investigation in this case is complete.



Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Additional Chief Judicial Magistrate-12, Saran at Chapra in connection with Derni PS case No. 198/2019 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 cancelled 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)

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